Parramatta City Council	
File No:	DA/499/2014

ASSESSMENT REPORT – RESIDENTIAL FLAT BUILDING DEVELOPMENT S79C – Environmental Planning & Assessment Act 1979

SUMMARY

Application details

DA No:	DA/499/2014
Assessment Officer:	Rob Player and Daniel West DFP Planning
Property:	1A Morton Street, Parramatta LOT 8 DP 1097934
Proposal:	Development Application for the construction of a residential development comprising six (6) residential flat buildings ranging in height from 4 to 11 storeys consisting of 355 dwellings with basement car parking, landscaping, civil works, internal road with on-street car parking and land dedication for open space and road widening.
Cost of works:	$72,660,000
Date of receipt:	1 August 2014
Applicant:	North Parramatta No. 1 Pty Ltd c/o Think Planners Pty Ltd
Owner:	Parramatta City Council
Submissions received:	5 submissions received in first public notification 3 submissions received in second public notification

Property owned by a Council employee or Councillor:	No
Council application:	No (land owned by Council)
Issues:	Density, building massing, heritage, SEPP 65 RFDC compliance
Recommendation:	Approval subject to conditions

Legislative Requirements

Zoning:	R4 High Density Residential
Permissible under:	Parramatta LEP 2011
Relevant legislation/policies:	SEPP 55, SEPP 65, SEPP (BASIX), SEPP (Infrastructure), Parramatta LEP 2011, Parramatta DCP 2011, Sydney Harbour Catchment REP
Variations:	LEP FSR variation, various DCP non-compliances, various SEPP 65 RFDC non-compliances
Integrated development:	No
Crown development:	No

The site

Site Area:	22,500m²
Easements/rights of way:	The submitted survey indicates an easement for sewerage 1.83 m wide created by DP446196 traversing the southern portion of the site from east to west.
Heritage item:	No
In the vicinity of a heritage item:	Yes. Broughton House (State Significant) adjoins the site to the north Wavertree (Locally Significant) is nearby in New Zealand Street Wetland (Locally Significant) landscape item adjoins the site to the south along the Parramatta River.

Site History:	DA/8/1998 – To erect a 16 metre high telecommunications pole DA/1658/1999 – To enclose an existing door opening DA/366/2005 – Installation of 2 demountable buildings for staff accommodation Rezoning – Parramatta LEP 2011 (Amendment No. 1) gazetted 3 August 2012 rezoned part of the site from B4 Mixed Use to R4 High Density Residential Land reclassification – "Operational Land" on 3 August 2012 Rezoning – Parramatta LEP 2011 (Amendment No. 7) gazetted on 11 April 2014 rezoned part of the site from RE1 Public Recreation to R4 High Density Residential DA/522/2014 – Construction of raised temporary exhibition home (withdrawn)

DA history

1 August 2014	DA lodged
13 August 2014 – 03 September 2014	DA notified
03 September 2014	Comments received from RMS and Sydney Water
9 September 2014	Amended plans submitted responding to Council traffic engineering comments
10 September 2014	Design Excellence Advisory Panel (DEAP) meeting
19 September 2014	Request for additional information: ➢ FSR variation; ➢ SEPP 65 RFDC compliance ➢ PDCP 2011 compliance ➢ Heritage ➢ Tree retention ➢ CPTED Assessment ➢ Social Impact Assessment ➢ Electricity Sub station

	➢ On-site detention & stormwater
2 October 2014	Amended stormwater plans submitted
2 October 2014	JRPP briefing session
22 October 2014	Amended architectural, landscape and engineering plans received together with updated and additional information requested reports
24 October 2014 – 7 November 2014	DA renotified
24 November 2014	Request for amended plans following Urban Design Comments regarding the internal configuration of some units.
27 November 2014	Amended plans submitted

SECTION 79C EVALUATION

SITE & SURROUNDS

The site is located on the western side of Morton Street directly south east from its intersection with Broughton Street and to the north of Rangihou Reserve. The site has a 163m frontage to Morton Street and also has a secondary access point from New Zealand Street. The site has an average topographical fall of 8.5% from the north western section of the site to the southern part of the site.

The site is the location of the Parramatta City Council works depot that will cease operations as a consequence of the proposed redevelopment of the site and relocate. Various single and two storey buildings and structures are located on the site.

Site Area: 22,500m² (including 5,023m² of land dedication)

The site context is diverse with a public reserve adjoining the site and foreshore of Parramatta River to the south, and existing low scale residential development adjoining the site to the west, Broughton House (a heritage item of State Significance) and a seniors housing development adjoining the site to the north, and to the east on the opposite side of Morton Street a JRPP approved residential flat building development of up to 12 storeys in height (DA/391/2012) in a 3 stage development comprising a total of 277 dwelling units.

The site and surrounds is an area in transition following the rezoning of the site and locality to medium and high density residential under Parramatta LEP 2011.

Figure 1: Locality Map


Figure 2: Site looking north

Figure 3: Morton Street looking north (site on left)

Figure 4: Western part of site looking south towards Rangihou Crescent properties

PROPOSAL

This proposal comprises the following:

- Demolition of the existing buildings and ancillary structures;
- Removal of 2 trees;
- Torrens title subdivision of the site into two lots with an 18,368m² developable lot (development site) and a 4,132m² lot comprising the southern portion of the site to be dedicated to Council;
- Construction of six (6) residential flat buildings ranging in height from 4 to 11 storeys, comprising 355 residential units with basement car parking;
- 471 car parking spaces comprising 386 resident spaces and 85 visitor spaces;
- Land dedication for road widening (Morton Street & New Zealand Street) and also the southern part of site proposed to be a separate allotment for a future public reserve (4,132m² lot);
- Civil works including drainage and construction of an internal road; and
- Landscaping works.

No strata subdivision is proposed as part of this application
Cost of Works = $72,660,000 (excluding GST)

The table below provides a breakdown of the configuration of each building of the proposed medium and high density residential development:

Building	Number of Units	Building Height	Orientation
A	49	9 storeys	north-south
B	72	6 storeys	east-west
C	52	4 storeys	north-south
D	31	5 storeys	north-south
E	117	11 storeys	north-south
F	34	6 storeys	north-south

The proposed development comprises three buildings (A, B & C) in the northern portion of the site surrounding a large communal landscaped podium area that has frontage to the proposed new street. The new street divides the northern and southern portions of the development site and provides 18 on-street parallel visitor car parking spaces. The southern portion of the development site comprises three (3) north-south orientated buildings (D, E & F) in which Building E that fronts Morton Street is separated from buildings D & F by a landscaped common area.

All units will be provided with balconies or courtyards of 10m^2 and greater.

The 453 space resident and visitor car park is arranged over 2 basement levels at the northern portion of the development site and 1 basement level at the southern portion of the site on account of the downward slope of the site from north to south as well as 18 at grade visitor spaces on the new street. The basement car park levels will also include 128 bicycle spaces and storage areas. An on-site detention basin is located below the proposed new street.

Vehicle access/egress to the basement car park is provided via Morton Street at a point at Building A and a point midway at Building E. Pedestrian access is provided via Morton Street, New Zealand Street, the new street and from Rangihou Reserve.

The landscaping proposed as part of the development includes:

- Street Planting along the Morton Street and new street frontage;
- Deep soil planting on the landscaped podium levels to create large communal courtyards for residents;
- Various planting adjacent to the boundaries of the site and the frontages to Morton Street and the new street; and
- Retention of most of the mature trees along the western boundary of site.

BACKGROUND

Pre-lodgement Application - PL/24/2014

2 April 2014 Pre-lodgement meeting

Proposal involved the construction of 7 residential flat buildings ranging in height from 4 to 8 storeys.

Comprehensive and detailed development advice was provided in this meeting. In terms of planning and design matters, of note was the senior planning staff of Council raising no concern regarding the proposed 10% variation in the FSR development standard given the community benefits provided. The protection of historic views and vistas is of significant importance and a view analysis would be required. Furthermore, internal building separation under SEPP 65 is of concern.

9 April 2014 The Design Excellence Advisory Panel considered the proposed development as part of pre-DA lodgement consultation. The 10 design principles of SEPP 65 were considered by the Panel. Of note was for the proponent to undertake a robust site analysis to clearly articulate the shift away from the original master planning principles. Also the “finger” buildings approach is valid however the building orientation could be shifted. The Panel specifically requested:

1. *The Panel appreciated the scope and clarity of the pre-development application material submitted and the explanation of the urban design principles underpinning the approach.*

2. *The relationship of the buildings to the open space and ground plane generally were of particular importance and the Panel suggested more work needed to be done on consolidating significant landscape place opportunities and improving the permeability between buildings.*

3. *The opportunity for further investigation and explanation of the contextual relationships, both to the built environment (existing and proposed) to the open space connections to the broader Parramatta river public domain improvements should be undertaken.*

4. *The Panel supports Council's Urban Design Team in the recommendation that the proponent undertake a robust and thorough site analysis. This will assist any review of the proposal by way of clarifying the design development strategies. It is important for the proponent to clearly articulate the shift away from the original master planning principles in any future submissions. This should be by way of drawings and models.*

5. *Views from the opposite river bank back to the site and including the approved neighbouring site should be prepared to allow for a more detailed assessment of the scheme.*

6. *The "transparency" of the design process and the development of a series of options for the site are considered essential given the importance and complexity of the site.*

7. *The Panel acknowledged that referencing the neighbouring "finger" buildings on the former Fraser's site is a valid response. The Panel however is of the opinion that the current angled orientation of these two buildings be shifted to improve the ground plan condition. It is felt that this common open space is currently compromised by the configuration.*

8. *It was also suggested that the opportunity should be explored for communal open space at the roof level of the two finger buildings, which may also include appropriate amenities and meeting or function rooms.*

9. *The main courtyard space between the two finger buildings was regarded as an opportunity to further open up views from within the site to the river by moving the western finger around further toward the boundary. Visual and active links back through the site could also be explored.*

10. *Further to this Building E should be modified to allow for an appropriately civic scaled opening to allow for a clear axis from the riverfront through to the rear of the site. Whilst this will have an impact of the proposed street edge of Building E this is not considered to be a design issue and could be successfully addressed by the proponent in the of addressing other issues listed below.*

11. *The preliminary nature of the submission means that the panel cannot give detailed feedback on design excellence and SEPP 65 issues. There however a number of general points that should be considered:*

    Separation of buildings is critical and it is recommended that the currently proposed "finger" buildings be shifted away from Building E. Whilst it is understood in general architectural modelling terms why the narrow gaps between these buildings have been proposed, it is felt the resultant open spaces on the ground plane are compromised by these minimal separations.
    The single apartment block element proposed central to Building E on the southern side should be deleted to improve the general amenity and configuration.
    The proposed building forms and materiality have not been assessed but it is recommended that consideration be given to a composition that is resolved in both close proximity (human scale) and from mid and distant viewpoints (hence the need for views from the opposite river bank)
    The apartments proposed need to consider clear separation and definition of public and private open space to avoid bedrooms opening onto living / dining spaces.
    The location of the kitchens should be reconsidered to avoid their location deep within the floor plan away from light and views.
    Consideration should be given to roof mounted PV panels given the potential available roof plane area.
    The location of substations and basement car park ventilation shafts should be considered in the ongoing development of the scheme.

12. *Given the number of individual buildings and the likely time lag between commencement of each stage, the panel suggests a range of complementary architectural expressions could be employed without losing coherence. It was suggested a model for such an arrangement could be based on a campus built over a number of years yet unified by a common architectural language*

13. *It was suggested that the proponent continue to study relevant examples of successful and similar scaled developments and carry out a comparative analysis. One suggested example was Ladbroke Grove in Notting Hill in London.*

14. *The Panel recommended that a detailed study of the neighbouring site's landscape design strategy be assessed with the view of building a dialogue between the two sites. It was also important to clarify what was being proposed along*

this section of the river frontage so an appropriate response could be developed to complement any future works.

Amended Plans

Following detailed assessment of the application an additional information letter dated 19 September 2014 was issued to the applicant requesting a number of design changes and the lodgement of additional and/or updated information.

Specifically, the letter requested the following:

Proposed FSR variation:	Further justification required for FSR variation sought and/or reduction/compliance FSR development standard;
SEPP 65 RFDC compliance:	Further justification required for various SEPP 65 RFDC non-compliances or amend plans to comply.
PDCP 2011 compliance:	Further justification required for various PDCP 2011 non-compliances or amend plans to comply.
Heritage:	Response to comments from Council's heritage advisor.
Tree retention:	Retention and protection of trees adjacent to western boundary requested.
CPTED:	CPTED report requested.
Social Impact Assessment:	Social Impact Assessment requested.
Electricity Sub station:	Repositioning requested.
On-site detention & stormwater	Additional information requested.

As a consequence of the additional information letter dated 19 September 2014 and the discussions at the JRPP Briefing Session on 2 October 2014, the applicant lodged amended plans and provided the requested additional information. The amendments to the plans are described by the applicant as comprising the following:

a) All buildings along the northern boundary are now setback 6 metres from the boundary.

b) For the small area where Buildings A and B are in closer proximity than 18m for habitable to habitable, the apartments have been redesigned to ensure that there are no privacy impacts and apartment orientation and openings ensure privacy is protected.

c) Building D has been split into two individual buildings (Buildings D and F) and the height reduced by one storey each to 5 storeys for Building D and 6 storeys for Building F.

d) Building E has been amended and increased in height to 11 storeys.

e) In undertaking amendments to Buildings D and E, the apartment yield has reduced from 361 apartments to 355 apartments, and the parking proposed has reduced to 386 resident spaces, 87 visitor spaces and 178 bicycle spaces.

f) The FSR for the project has been reduced from 1.32:1 to 1.294:1, representing a 7.8% variation.

g) Solar Access to the Project now comprises –

- Mid Winter 2 hours to 82% of apartments
- Equinox 2 hours to 92% of apartments

PERMISSIBILITY

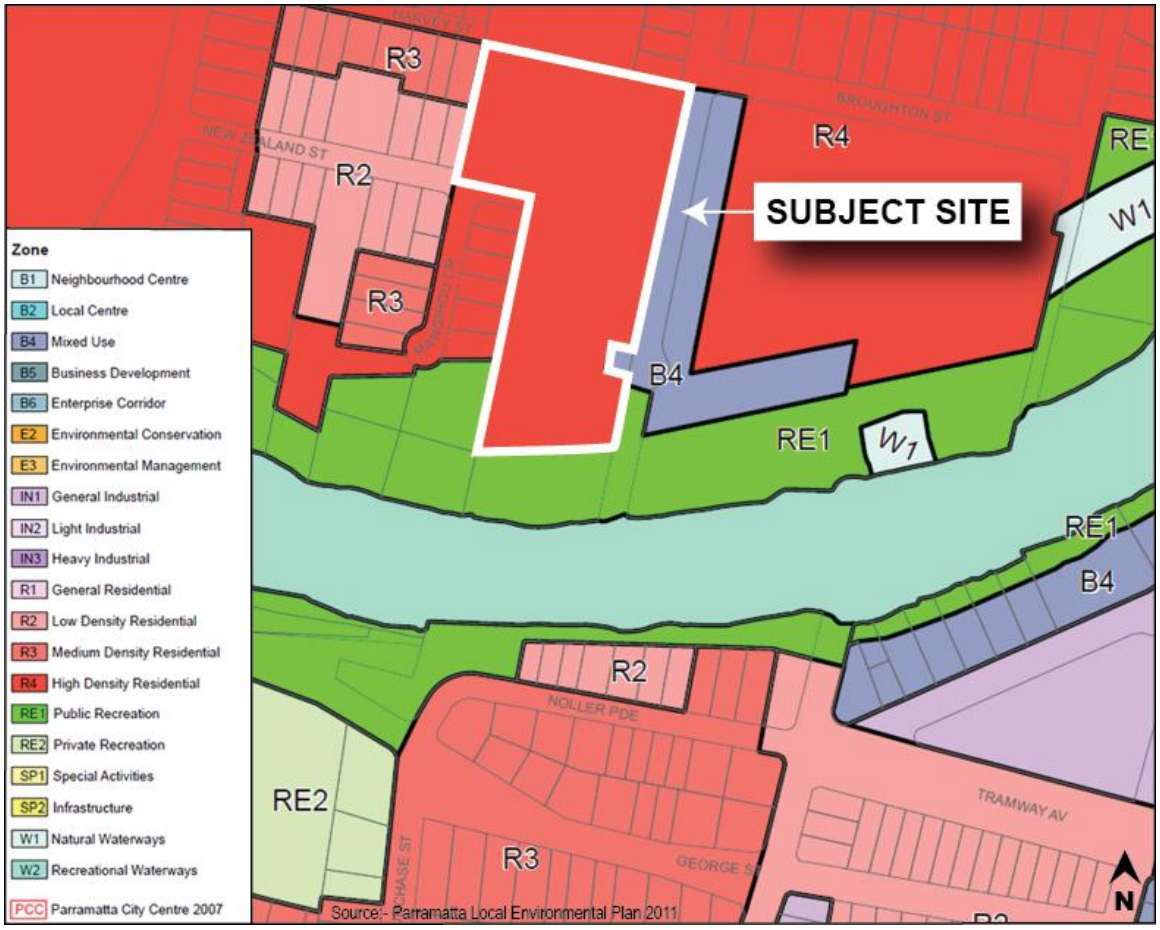


Figure 5: Zoning Map

Under the provisions of the Parramatta LEP 2011, the site is zoned:

- Zone R4 High Density Residential

The objectives of the R4 zone are as follows:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide opportunity for high density residential development close to major transport nodes, services and employment opportunities.*
- *To provide opportunities for people to carry out a reasonable range of activities from their homes if such activities will not adversely affect the amenity of the neighbourhood.*

The proposed development is defined as follows under Parramatta LEP 2013:

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

road *means a public road or a private road within the meaning of the Roads Act 1993, and includes a classified road.*

The proposal satisfies the definitions specified above and is permitted with consent under the R4 zone applying to the land.

Subdivision of land is permissible in accordance with the provisions of Section 4.1 of the Parramatta LEP 2011.

It is considered that the proposed redevelopment of the site into high density residential is consistent with the objectives of the R4 zone. In particular, the proposed development will provide for the housing needs of the community with 355 new dwelling units that consist of an appropriate mix of 1, 2 and 3 bedroom dwellings.

INTERNAL REFERRALS

Traffic & Transport Investigations Engineer

The amended plans of the application were referred to Council's Traffic & Transport Investigations Engineer who recommended the following:

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

- *The proposed development is required to provide 178 bicycle spaces/racks/storage on-site. As per modified DA plans (Issue D dated October 2014), the proposed development provides 111 bicycle spaces/lockers within the site. Accordingly, the number of bicycle racks/storage/spaces provided on-site is deficient by 67 bicycle spaces in accordance with Council DCP 2011.*

- *Written evidence demonstrating that offers of a car space to carshare providers together with the outcome of the offers or a letter of commitment to the service has not been submitted with the DA. The applicant will be required to submit this information prior to issue of the construction certificate, should this DA be approved.*

- *The amended DA plan with 18 on-street parking spaces have not been marked as such, therefore it is assumed that the 18 parking spaces are to be marked for visitor parking. The installation of the parking restrictions (full time restrictions for the loading and taxi zones and part-time restrictions for visitor parking) will need to be referred to the Parramatta Traffic Committee under*

Delegated Authority and Council for approval. All costs associated with the supply and installation of the appropriate signs are to be paid for by the applicant at no cost to Council. The applicant is to submit an application to Council's Service Manager – Traffic and Transport regarding the on-street parking restrictions within 5 months prior to the opening of the private road, under the provisions of Section 650(7) of the Local Government Act 1993.

Recommendation

If this DA is to be approved, then the following traffic related conditions should be included in the conditions of consent:

Prior to the release of a Construction Certificate:

1. *473 parking spaces (including 1 carshare space and 18 parking spaces on-street on private road) are to be provided in accordance with the approved plans referenced in condition 1 and 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.

2. *178 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-1993. Details are to be illustrated on plans submitted with the construction certificate.*
   Reason: To comply with Council's parking requirements.

3. *Written evidence demonstrating that offers of a car space to carshare providers together with the outcome of the offers or a letter of commitment to the service is to be submitted prior to issue of the construction certificate.*
   Reason: To comply with Council's carshare (sustainable transport) and parking requirements.

4. *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

5. *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 from Jamieson Street. 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.

Prior to the release of a Occupation Certificate:

6. *Prior to the issue of the occupation certificate, a convex mirror is to be installed within the ramp access (one near the entry driveway & one at the bottom of the ramp access) with its height and location adjusted to allow an exiting driver a full view of the driveway in order to see if another vehicle is coming through.*
   Reason: To ensure safety of drivers.

During Construction or Works:

7. *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.

8. *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.

Prior to the opening of the Private Road

9. *The loading and taxi zones, as shown on the amended DA plans are to be signposted along with the visitor parking spaces. The installation of the parking restrictions (full time restrictions for the loading and taxi zones and part-time restrictions for visitor parking) will need to be referred to the Parramatta Traffic Committee under Delegated Authority and Council for approval. All costs associated with the supply and installation of the appropriate signs is to be paid for by the applicant at no cost to Council. The applicant is to submit an application to Council's Service Manager – Traffic and Transport regarding the on-street parking restrictions within 5 months prior to the opening of the private road, under the provisions of Section 650(7) of the Local Government Act 1993.*

The Use of the Site

10. *A roller shutter door provided at the driveway entry and exit from Morton Street is to be operated via remote control. If an intercom is installed, it is to be provided at the centre of the driveway on the median island (not attached on the wall) to the carpark in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.*
    Reason: To comply with Australian Standards.

Planning Comment:

The Traffic Engineering Section assessed the impact of the development on the local road network, the provision of parking and the internal manoeuvring.

It was concluded that the proposal satisfies the requirements of Council's controls, subject to standard and special conditions of consent as detailed above.

Tree Management & Landscape Officer

The amended plans and peer review of the Arboricultural Report was referred to Council's Tree Management & Landscape Officer. Following review of the documentation the following was recommended:

DISCUSSION

Twelve (12) trees are proposed to be removed to accommodate the proposed development. Nine (9) trees located within the subject site are to be retained and protected during demolition and construction. All trees located in close proximity to the common boundary and within the adjoining properties are to be afforded the same protection and have been listed in the consent.

The proposed landscape plan is considered satisfactory for this scale of development and can be supported subject to conditions.

CONCLUSION

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

LA01 Tree Retention
Trees to be retained are:

Tree No.	Name	Common Name	Location	Tree Protection Zone (m)
1	Cinnamomum camphora	Camphor laurel	9 Rangihou Cres. Refer to arborist report	3.9m
2	Cinnamomum camphora	Camphor laurel	9 Rangihou Cres. Refer to arborist report	5.5m
3	Eucalyptus microcorys	Tallowwood	Refer to arborist report	10.3m
4	Eucalyptus microcorys	Tallowwood	Refer to arborist report	9.4m
5	Eucalyptus microcorys	Tallowwood	Refer to arborist report	8.3m
6	Eucalyptus microcorys	Tallowwood	Refer to arborist report	8.4m
7	Eucalyptus microcorys	Tallowwood	Refer to arborist report	8.2m
8	Eucalyptus microcorys	Tallowwood	Refer to arborist report	8.4m

9	Eucalyptus microcorys	Tallowwood	Refer to arborist report	7.4m
10	Eucalyptus microcorys	Tallowwood	Refer to arborist report	6.7m
11	Corymbia citriodora	Lemon-scented Gum	Refer to arborist report	7m
12	Corymbia citriodora	Lemon-scented Gum	Refer to arborist report	6.5m
13	Corymbia citriodora	Lemon-scented Gum	Refer to arborist report	2.3m
15	Brachychiton discolor	Lacebark Tree	Refer to arborist report	7.2m
20	Cedrus deodara	Himalayan Cedar	Adjoining property – Refer to arborist report	4.8m
30	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	6m
31	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	3m
32	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	7.8m
33	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	3.8m
34	Cupressus glabra	Arizona Cypress	Adjoining pump station site – Refer to arborist report	6.5m
35	Cupressus glabra	Arizona Cypress	Adjoining pump station site – Refer to arborist report	8.2m
36	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	4.8m
37	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	8.4m

38	Casuarina cunninghamiana	River Oak	Refer to arborist report	8.4m
39	Casuarina cunninghamiana	River Oak	Refer to arborist report	5.5m
40	Casuarina cunninghamiana	River Oak	Refer to arborist report	6m
41	Casuarina cunninghamiana	River Oak	Refer to arborist report	4.6m
42	Casuarina cunninghamiana	River Oak	Refer to arborist report	4.5m
43	Casuarina cunninghamiana	River Oak	Refer to arborist report	5.8m
44	Casuarina cunninghamiana	River Oak	Refer to arborist report	7.2m
45	Casuarina cunninghamiana	River Oak	Refer to arborist report	6.7m
46	Casuarina cunninghamiana	River Oak	Refer to arborist report	7m
47	Casuarina cunninghamiana	River Oak	Refer to arborist report	6m
48	Casuarina cunninghamiana	River Oak	Refer to arborist report	10m

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

LB04 Landscaping Plan

The final Landscape Plan must be consistent landscape plans prepared by Jane Irwin Landscape Architecture. Issue A 22/10/2014 together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:

(a) Replacement of proposed Eucalyptus moluccana within the Morton Street road reserve with Eucalyptus sideroxylon 'Rosea'

(b) Replacement of proposed Eucalyptus tereticornis with Lophostemon confertus

(c) Replacement of proposed Eucalyptus amplifolia with Backhousia citriodora.

(d) All landscape plans are to be prepared by a professionally qualified landscape architect or designer.

Reason: To ensure that appropriate landscaping is implemented.

LC02 Tree protection as per arborist report

The trees identified for retention shall be protected prior to and during the demolition/construction process in accordance with the documents referenced below;

1. Arborist Report: Prepared by Landscape Matrix. 25 July, 2014

2. Review of Arborist Report: Prepared by Urban Forestry Australia. 23 October, 2014

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

LC04 Protective fencing

Retained trees or treed areas must be fenced with a 1.8 metre high chainwire link or welded mesh fence. The fence is to be fully supported at grade, to minimise the disturbance of existing ground conditions within the canopy drip line or the setback nominated on the approved landscaping plan. The fencing is to be in place for the duration of the construction works. "Tree Protection Zone" signage must be attached to the protective fencing.
Reason: To protect the environmental amenity of the area.

LC05 Tree Protection Signage
Prior to works commencing, tree protection signage is to be attached to the fencing of each Tree Protection Zone. It is to be displayed in a prominent position and in locations where the fence changes direction. Each sign must contain the following detail in a clear and legible form:
a) 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 level. Access to this area is restricted; and
c) The name, address, and telephone number of the developer and site Arborist.
Reason: To protect existing trees during the construction phase.

LC06 Pruning/works on tree(s)
Consent from Council must be obtained prior to any pruning works being undertaken on any tree on site, or any trees located in adjoining properties.
All approved pruning works must be supervised by an Australian Qualifications Framework (AQF) Level 3 certified 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.

LC07 Tree Protection During Construction
Tree protection measures are to be installed and maintained, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 – "Protection of Trees on Development Sites".
Reason: To ensure trees are protected during construction.

LD11 Tree Removal
Trees to be removed are:

Tree No.	Species	Common Name	Location
14	Cinnamomum camphora	Camphor laurel	Refer to arborist report
16	Eucalyptus nicholii	Narrow-leaved Peppermint	Refer to arborist report
17	Grevillea robusta	Silky Oak	Refer to arborist report
18	Elaeocarpus reticulatus	Blueberry Ash	Refer to arborist report
19	Eucalyptus microcorys	Tallowwood	Refer to arborist report

23-26	Citharexylum spinosum	Fiddlewood	Refer to arborist report
27	Thuja orientalis	Chinese Arborvitae	Refer to arborist report
28-29	Citharexylum spinosum	Fiddlewood	Refer to arborist report

Reason: To facilitate development.

LD13 Removal of trees by an arborist
All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Draft Tree Work Code of Practice 2007.
Reason: To ensure works are carried out in accordance with the Draft Tree Work Code of Practice 2007.

LE02 Certifying Auth. Arrange Qualified Landscape Arch. (Multi-unit and above)
A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works must be completed prior to the issue of an Occupation Certificate.
Reason: To ensure restoration of environmental amenity.

Planning Comment:
The inclusion of the above conditions of consent are considered appropriate in this instance in order to protect and retain the significant trees on the site, particularly the Eucalyptus microcorys (Tallowwood) mature trees adjacent to the western boundary of the site.

Development Engineer

The Development Engineers responded to referral of the application on 26 November 2014 and provided the following comments in regard to stormwater drainage and flood related issues.

DISCUSSION IN TERMS OF STORMWATER DISPOSAL

The development site comprises of appropriate site stormwater disposal system including OSD tank as well as Water Sensitive Urban Design (WSUD) measures through Bio-retention Landscaping and Drainage Swales. The discharge from the OSD/drainage system will be drained and be connected to the existing drainage system along Morton Street.

DISCUSSION IN TERMS OF FLOOD RELATED ISSUES

The property is partially affected by 100 year flood and Probable Maximum Flooding (PMF). The portion of the site affected by flooding at the rear would not be developed as part of the project. Due to the flood affectation and the close proximity to the Parramatta River, a "Proposed Stormwater Management Strategy" Report, dated July 2014, prepared by Northrop Engineers was submitted to Council. Council assessed the report with potential flood compatible measures such as habitable floor

levels, basement car parks ramps protection have all been incorporated to minimise the flood impacts in the vicinity of the development.

Site based Flood Emergency Response Plan including flood warning system and detailed evacuation plan shall be implemented and maintained during life cycle of the development. It is not practical to design the basement ramp entry point to be above the PMF level. Therefore, the above site being located next to Parramatta River and the best way of managing flood situation closer to PMF is by way of installing flood gate at the crest of all the basement cark park ramps, providing adequate warning signs and making the residents to be aware of flooding. Appropriate condition will be included to comply with these requirements.

Due to the close proximity of the Parramatta River, proposed basement can receive seepages, if the basement walls are not water tight. Therefore, a special condition will be imposed to construct the perimeter walls of the basement using "Tank Construction" method.

Access/driveway gradients/vehicle manoeuvring, Easements

A Traffic Report was submitted to Council. The DA was referred to Council's Traffic Division for formal assessment and comments. In addition to this, the Standard Engineering Conditions relating to the driveway gradients etc. will also be imposed.

CONCLUSION

The property is affected by 100 year mainstream flood event and also affected by PMF. The PMF level is approximately RL 9.50m AHD, which is above the basement driveway ramp crest entry levels for Block A and Block E for basement car parks. Therefore, the basement floor is likely to be flooded during the PMF event. The proposed development habitable floor levels are well above the 1 in 100 year level. Appropriate conditions will be included with the approval, in terms of the Flood Emergency Detailed Response Plan incorporating specific vertical evacuation flood refuges in each of the buildings, effective evacuation procedures and the responsible person for each of the buildings and other appropriate Measures to be put in place. Therefore, the proposal satisfies the requirements of Council's control and can be supported, subject to the following Standard and Special conditions of consent.

Planning Comment:

The Development Engineering Section assessed the application and concluded that the proposal satisfies the requirements of Council's controls, subject to standard and special conditions of consent that are included as draft conditions in the recommendation.

Environmental Health Officer

The DA was referred to Council's Environmental Health Officer and the following response was provided on 14 August 2014.

DISCUSSION

The acoustic report finds that the standard building materials will be sufficient to achieve acceptable interior noise levels and that the potential for offensive noise from the development to affect surrounding residences is low. Potential noise sources would likely be mechanical plant, air conditioning and car park exhaust.

In relation to construction noise, given the size of the development it would be recommended that a Construction noise management plan be submitted.

REASONS SUPPORTED / CONCLUSION

It is considered that the potential for offensive noise to be created by the proposal is low.

The proposal is likely to be an acoustic improvement to the current use of the site as a works depot. It is recommended that potential noise nuisances be minimised by the imposition of the attached conditions.

RECOMMENDED CONDITIONS

Prior to CC

PB05 Noise from plant in residential zone

Prior to commencement of works:

PC12 Noise management plan- construction sites

Waste Management Officer

DISCUSSION
As requested the applicant has submitted a revised waste management plan for the ongoing use of the site. This includes clarification of the number and size of bins, location of the bin storage areas have been shown on the plans, route and location of the bin collection area and details of the bin storage area. No garbage chute will be used in the development as per the applicants advice. This application can now be supported using standard conditions of consent.

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

RECOMMENDED CONDITIONS
General Matters
PA27 Amenity of waste storage areas
All waste storage rooms/areas are to be fully screened from public view and are to be located clear of all landscaped areas, driveways, turning areas, truck standing areas and car parking spaces. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time.

Reason: To maintain the amenity of the area.

During construction or works
PD15 Waste data maintained
A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.
Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.

EHA76 Soil and Water Management – Stockpiles
Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.
Reason: To ensure that building materials are not washed into stormwater drains.

EHA79 Polluted water from excavation – water analysis before discharge
Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and ANZECC standards for water quality.
Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.
Reason: To prevent pollution of waterways.

EHA87 Contaminated waste to licensed EPA landfill
Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.
Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.
Use of site

EHF04 Provide waste storage room on premises
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

EHF05 Remove putrescible waste at sufficient frequency
All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.
Reason: To ensure provision of adequate waste disposal arrangements.

EHF25 Management of waste storage facilities
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.

EHF26 Storage of bins between collection periods
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

Planning Comment:

The Waste Management Officer assessed the application and concluded that the proposal satisfies the requirements of Council's controls, subject to standard and special conditions of consent.

Social Planning Officer

The Social Impact Assessment prepared by Think Planners was referred to Council's social planning officer. The following response was received:

"The information provided in the SIA report by Think Planners dated October 2014 is relatively thorough as a social impact assessment.

The potential positive benefits of the development include an increase in the amount and type of housing which will attract a diverse range of residents and an increase in the population of the local community which will reinforce the local economy.

Many of the concerns raised by residents (e.g. parking, traffic) have or will be assessed in line with the relevant standards as outlined by urban design, engineering, traffic and transport teams etc.

The SIA report by staff from Think Planners indicated that the public interest benefits include a mix of dwelling types. Council staff would ideally like to see Affordable Housing identified within the development to enable improved access to quality housing for a range of residents with a low to medium level of income within the LGA. Parramatta can attract high market rents and sales prices and this makes it difficult for working families on lower incomes who have connections to the suburb to continue residing in this location.

If Affordable Housing is a possibility, the following Conditions of Consent would need to be met:

Conditions of Consent re Infill Development – Affordable Rental Housing SEPP

- *If the DA is recommended for approval and includes supply of Affordable Housing, the following measures should be undertaken to ensure that (1) the objectives of Parramatta City Council's Affordable Housing Policy are met and (2) that the planning benefits provided under the AHR SEPP 2009 provide a public benefit back to the community through the dedication of affordable housing dwelling units for a period of 10 years. In line with these requirements Council's conditions of consent should address the following matters.*

Dedication and Protection of Affordable Housing Units

- *The affordable housing dwelling units should be identified on the floor plan prior to the occupation certificate being issued.*

- *A covenant should be registered on the title identifying the affordable rental housing component of the development and indicating that these dwelling units must be used for affordable rental housing and managed by a registered Community Housing Provider (CHP) for a period of 10 years.*

- *'Conditions of Consent' should be provided to ensure that Council is notified on the day that an occupancy certificate is issued (this in turn will be considered as the day that the affordable housing 10 year dedication period commences).*

Management of the Affordable Housing Units

- *The applicant should identify the Community Housing Provider (CHP) who will manage the affordable housing component of the development. The CHP should demonstrate their familiarity with the local context of Parramatta.*

- *Prior to issuing of the occupation certificate the proponent should submit a copy of the signed contract between the registered CHP and the applicant.*

Additional notes for Council staff:

- *Council's Development Services Unit to notify the Social Outcomes Team Manager if affordable housing will be progressed as an option.*

Planning Response: The imposition of conditions of consent to provide affordable housing as part of the proposed residential development under SEPP(ARH)2009 is not supported as the imposition of such conditions in this instance is not considered reasonable or proper. This is due to the application not seeking consent pursuant to SEPP(ARH)2009 and thus not gaining the benefit of the incentive provisions of SEPP(ARH)2009. Therefore it is considered that the imposition of such conditions would not meet the "Tripartite test" of *Botany Bay City Council v Saab Corp [2011].*

Public Arts Officer

The application was referred to Council's Public Arts Officer and the below response was received:

At this stage Council is satisfied with the intent of the Arts Plan and congratulate Graham Charlcroft on a cohesive, intelligent and sensitive strategy which deals with a number of layers and context on the site. The historical and cultural site analysis identifies the key elements of the site history and provides a number of different interpretive and public art works with an insight into the intended use, the relevant and appropriate themes within the context of its site.

The conceptual frameworks are strong and in particular the works 9.1.1, 9.1.2, 9.1.3, 9.1.4. Please take care to reference both the Maori and Aboriginal history in the creation of the works for the site as the river area in particular holds strong significance for Aboriginal people. We strongly suggest the engagement of artists of both Darug or Maori background to provide design advice to the work. Council are happy to provide a list of experienced and recommended Aboriginal artists who can engage in this work with you and help to manage relevant consultation processes with relevant committees.

It's noted the integration of play through the interactive art proposal in the document is an important component – play time is critical the development of children and it seems the development will have quite a focus on activities and spaces for families.

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:

a. *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.*

b. *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.*

c. *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.*

- *needs to be much more specific in terms of themes and storylines*
- *needs to focus on the stories suggested in the interpretation plan that are relevant to the specific location*
- *investigate other meaningful and engaging ways to present the stories. Some of the suggestions in the Arts Plan will need to be reconsidered to effectively tell the relevant stories in a way that compliments the proposed developments, directly relates to the locations and above all is meaningful.*

Planning Comment:
The Public Arts Officer assessed the application and stated that the topics presented were appropriate, but needed more development in terms of storyline specificity. It can therefore be concluded that the application can be supported subject to standard and special conditions of consent detailed above.

Heritage Officer

Comments were received from Council's Heritage Officer on 19 August 2014 and again on 5 November 2014 responding to the amended plans.

These comments are as follows:

19 August 2014

- *The wetlands along Parramatta River are of significance for the Parramatta area as remnant representative areas of mangroves and salt marshes which once extensively lined the foreshores and tidal water flats of the region. This item consists of remnant wetland vegetation, characterised by mangrove and saltmarsh complex, located along the foreshores of Parramatta and Duck rivers and their tributaries, Vineyard and Subiaco creeks.*
- *Given the separation between sites, and given the nature of the significant item Parramatta Wetlands, it is deemed that significance of this item will not be impacted by the proposal.*
- *Regarding Aboriginal archaeology, given the low level of sensitivity of the site, it is assumed that there is little risk of any adverse impact. However, as a matter of precaution, any eventual approval may be conditioned to the effect that, should any potentially significant material be discovered, works should stop and NSW OEH should be contacted for advice.*
- *Regarding European archaeological matters, it is recommended that applicants should apply to NSW OEH for a permit for disturbance of grounds under the Heritage Act.*
- *Regarding the view No. 4, which connects Elizabeth Farm with Broughton House, the following is noted:*
    - *Broughton House is an item of State significance, being a notable example of a Victorian Regency style house that reflects the social and economic status of the wealthier free settler who played an essential part in the establishment of New South Wales. It has strong associations with the Marsden family and the King's School.*
    - *Elizabeth Farm is an item of State significance, associated with major figures who were prominent in the 19th century development of the colony, including John and Elizabeth Macarthur. The house contains part of the oldest surviving European construction in Australia.- This view is currently interrupted by vegetation.*
    - *The applicants argue, in the submitted documents (refer to architectural plans), that the view is also interrupted by the approved development at 2 Morton Street.*
    - *From the heritage perspective, it would be preferred to alter the proposal in order to avoid encroachment on the significant view No. 4. It is deemed that this can be achieved through re-arranging the*

envelope of the proposed development, i.e. without undue impact on the deliverables of the project program.

5 November 2014

- *The proposal is substantially similar, from the heritage perspective, to the previous version of the same application. Therefore, the previous comments apply.*

Planning Comment:

View Point 4 is the view corridor from Elizabeth Farm that passes over the site to Broughton House adjoining the site to the north. This view corridor is seen in the below diagram:

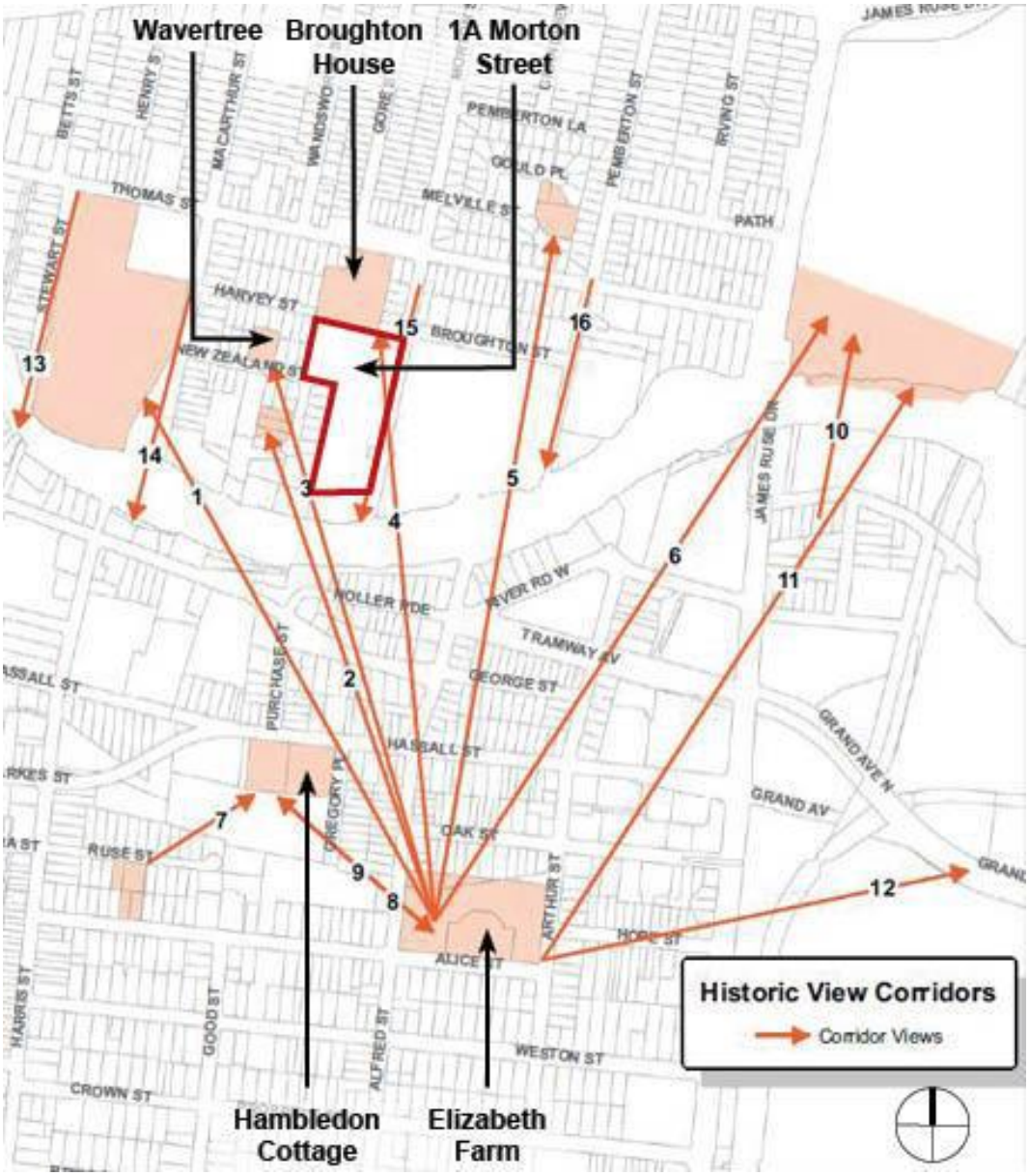


Figure 6: Views as shown in Appendix 2 of the DCP 2011. (Source: Parramatta City Council with GML overlay)

As can be seen, View Point 4 passes directly through the adjoining site at No. 2 Morton Street, Parramatta prior to passing over the subject site to Broughton House. DA/391/2012 determined for approval by the JRPP on 13 December 2012 approved a 12 storey building envelope directly in the view corridor of View Point 4. Accordingly, from a View Point 4 perspective this view corridor is not anticipated to be affected as Building A, Building B and Building E of the proposed development are located behind the approved 12 storey building envelope at 2 Morton Street and are also of a lower height.

In any event, as discussed in the GML Heritage Impact Statement (HIS) dated July 2014 existing vegetation blocks this view corridor from Elizabeth Farm towards Broughton house. The HIS states the following:

> *"The dense vegetation canopy along the northern hills currently screens most low scale development, and as such neither Broughton House nor Wavertree can be seen from Elizabeth Farm or public domain areas in the southern hills. Their marker trees are not tall enough to be seen above the canopy of vegetation from south of the river (refer to Figure 3.20)."*

Figure 3.20 *View from the western section of Elizabeth Farm Reserve facing northeast towards the northern hills (View Nos 3 and 4 in Figure 3.17). Broughton House, Wavertree and their marker trees are screened by the vegetation canopy over the northern hills and plantings in the immediate vicinity of Elizabeth Farm. (Source: GML 2014)*

Although the site may be located within the View Point 4 visual corridor of Elizabeth Farm, the buildings of the proposed development are either located outside View Point 4 or behind the approved 12 storey building envelope in Development Consent DA/391/2012 at 2 Morton Street, and thus it can therefore be concluded that the residential development will not have a significant impact on the view sensitive heritage item corridors and can be supported.

Furthermore, the HIS dated July 2014 provided photos showing that the Elizabeth Farm view corridors will not be impacted by the proposed development of the site on account of existing vegetation.

Aside from changing the building envelopes, the conditions of consent recommended by Council's heritage advisor will be included as draft conditions.

EXTERNAL REFERRALS

Sydney Water

Sydney Water responded to Council's referral on 3 September 2014 and again on 6 November 2014 (amended plans) and provided the following comments:

Water
The proposed development can connect to the 150 mm main in Morton Street.

Wastewater

- *This development site is currently serviced by an existing 150 mm wastewater main which discharges to Sewer Pumping Station 101 (SPS 101)*
- *The existing 150mm wastewater main does not have capacity to service the proposed development. Preliminary investigation shows that the 150 mm wastewater main needs to be upsized to a 225mm between the proposed connecting manhole and SPS 101 (figure 1).*
- *A number of development proposals are currently proceeding within the catchment draining to SPS 101. The augmentation of the SPS will be required to service this development proposal and any future development within this catchment.*
- *To determine the scope of the SPS augmentation, detailed wastewater planning will be required. It is recommended that the developer liaises with Sydney Water as soon as possible to initiate the investigation. This will mitigate any potential delay in the provision of wastewater services to the proposed development.*
- *Wastewater servicing requirements at the Section 73 application phase will be based on the completion of the detailed planning.*

Planning Comment:
Sydney Water has assessed the application and provided recommendations. It can therefore be concluded that the application can be supported subject to relevant conditions of consent detailed above.

Road and Maritime Services

The application was referred to RMS for comment with RMS providing a response on 3 September 2014. The agency responded as follows:

1. *Car parking provision to Council's satisfaction*
2. *The layout of the proposed driveways should be in accordance with AS2890.1-2004 and AS2890.2-2002.*

3. *The swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADs. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.*
4. *A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of construction certificate.*

Planning Comment:
RMS has assessed the application and provided recommendations. It can therefore be concluded that the application can be supported subject to relevant the conditions of consent detailed above.

PUBLIC CONSULTATION

In accordance with Council's notification procedures contained within Appendix 5 of Parramatta DCP 2011, the proposal was advertised and owners and occupiers of surrounding properties given notice of the application for a 21 day period from 13 August 2014 to 3 September 2014. In response, five (5) submissions were received.

The issues raised within the submissions are addressed below.

Submission 1
5 Rangihou Crescent, Parramatta

- Vehicular Access from Rangihou Crescent :
  The submission queried whether there will be vehicular access via Rangihou Crescent and New Zealand Street to the proposed development.

  Planning Comment: No vehicular access is proposed via Rangihou Crescent or New Zealand Street to the site.

- Traffic Modeling:
  The submission queried as to whether traffic modelling had been undertaken to indicate what roads and intersection need upgrading as a consequence of the proposed development.

  Planning Comment: A traffic survey and modelling have been undertaken for the surrounding road network and intersections in the Traffic Report prepared by TTM dated 29 July 2014. The report concluded that there is ample spare capacity at the Morton Street/Thomas Street intersection and that significant capacity increases are possible for the Macarthur Street/Thomas Street intersection. This report has been referred to Council's Traffic Engineering Section that assessed the impact of the proposed development on the local road network, the provision of parking and the internal manoeuvring.

  It was concluded that the proposal satisfies the requirements of Council's controls, subject to standard and special conditions of consent.

- Facilities:
  Additional facilities will be required as a consequence of the proposed development, such as supermarkets etc.

  Planning Comment: S94A Contributions will be levied for the proposed development to provide local facilities. It is noted that the Morton Street frontage to No. 2 Morton Street is zoned B4 Mixed use, that permits retail and commercial premises. There are also existing retail, commercial and community facilities within suitable proximity to the site.

- Length of affectation of noise, dust, traffic and road closures:

  Planning Comment: Standard conditions of consent are included in the recommendation to mitigate and control these matters, including a construction management plan to be prepared prior to the issue of a Construction Certificate.

- Whether there are any commercial developments proposed:

  Planning Comment: The proposed development does not propose any commercial development.

- Plans showing proposed future development on objectors property and are alarmed that there house could potentially be demolished in the future or surrounded by unit blocks:

  Planning Comment: This refers to an indicative building footprint shown on the site plan that the submitter's property could potentially be developed in the future consistent with its R4 High Density zoning under Parramatta LEP 2011. This is in order to show the desired future site context consistent with Parramatta LEP 2011. Development of this land is not proposed as part of this development application.

- Shadows cast over property at 9am in winter:

  Planning Comment: The submitter's property is expected to be affected by shadowing as a consequence of the proposed development in the morning hours in midwinter. However the shadow cast by the proposed development will have moved off the property by approximately 11am in midwinter. Therefore complying with Council's solar access controls of Parramatta DCP 2011.

- Plan shows Rangihou Crescent being extended towards the river:

  The proposed development does not propose to extend Rangihou Crescent towards the river.

- Walking track from Rangihou Crescent to reserve walking track could be considered.

Planning Comment: The proposed development does not propose to create a public walking track in this location. It is noted that the proposed development does seek to dedicate land to Council along the Morton Street frontage for a footpath and linking cycleway to Rangihou reserve.

Submission 2
16 New Zealand Street, Parramatta

- Objecting to the placement of the electricity substations adjacent to the property boundary with properties on New Zealand:

  Planning Comment: The electricity substations have been moved to the basement car park level of the proposed development adjacent to Morton Street.

Submission 3
47 Morton Street, Parramatta

- Was not notified of proposed development and found out only when advertised in the newspaper:

  Planning Comment: The submitter's property is approximately 400m north of the site. As such the public notification area did not extend to properties on Morton Street north of Thomas Street.

- Concerned that property could be re-zoned from its current low density zoning to high density zoning:

  Planning Comment: The R4 High Density Residential zone extends northward to Thomas Street, which is approximately 300m south of the submitter's property. Potential zoning amendments to properties in the Parramatta LGA unrelated to the site in question are a separate matter for Council and have no relevance to the consideration of this development application.

- Morton Street is currently closed to Victoria Road and the submitter is concerned that it could be opened to gain easier access to the proposed development:

  Planning Comment: Re-opening the northern end of Morton Street for traffic on Victoria Road is not proposed as part of this application.

- No consultation with residents/owners on Morton Street as part of the Community and Stakeholder Engagement Plan (CSEP):

  Planning Comment: The CSEP notified 57 surrounding residential properties via letter of the opportunity to contact the project team for further information or express their views. Two responses were received and taken into consideration. This number of surrounding residential properties being notified

is considered reasonable.

Submission 4
15/9-11 New Zealand Street, Parramatta

- Concerns raised in regard to increased population resulting in increased traffic and strain on existing facilities:

  Planning Comment: The traffic implications of the proposed development were investigated as part of the TTM Traffic Report dated 29 July 2014 and were reviewed by Council's Traffic Engineering Section. Provided the conditions recommended by Council's Engineers are included in the development consent should the application be approved, the traffic implications of the proposed development on the surrounding street network are considered acceptable.

  In terms of increased strain on existing facilities, Parramatta City Council's Section 94A Plan applies to the site and the proposed development and contributions will be levied as a condition of consent. Contributions levied by Council are used to fund local community infrastructure and facilities in the Parramatta LGA.

- A bridge is proposed by the submitter over the Parramatta River connecting Morton Street to Noller Parade. Also, the road closure at the Victoria Road end of Morton Street should be reopened to ease traffic.

  Planning Comment: The construction of a new bridge across the Parramatta River at this point is not envisaged at this time by Council and is not contained in Council's Section 94A Plan.

  As such, the construction of a bridge at this point is not relevant to the proposed development. As discussed above, the anticipated traffic impact as a consequence of the proposed development has been assessed to be acceptable and the opening of the north end of Morton Street to Victoria Road is not proposed.

Submission 5
10 Harvey Street, Parramatta

- Concerns regarding on-site car parking numbers and traffic generation.

  Planning Comment: The application was referred to Council's Traffic Engineering Section to assess the proposed on-street car parking provision and the anticipated traffic generation of the proposed development on the surrounding road network and concluded the following:

  > *"Based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on Morton Street and the surrounding road network. The*

proposal can be supported on traffic and parking grounds provided that:"

The conditions of consent recommended by Council's Traffic Engineers are included as draft conditions in the recommendation.

- Concerns regarding the crossing of Macarthur Street for pedestrians.

Planning Comment: There is a refuge island to allow pedestrians to cross Macarthur Street at its intersection with New Zealand Street. This arrangement was not identified by Council as being inadequate as a consequence of the rezoning of the locality in Parramatta LEP 2011 and has not been identified by Council as inadequate regarding the assessment of proposed development at the site.

Council is also likely to commence construction of a park underneath the Gas Works Bridge next year.

- Suggestions to complete walking track underneath Gas Works Bridge, install a footpath on the eastern side of Gas Works Bridge, pedestrian crossing or lights across Macarthur Street and provide more regular bus service to Parramatta Station.

Planning Comment: As discussed above, there is a refuge island to allow pedestrians to cross Macarthur Street at its intersection with New Zealand Street. This arrangement was not identified by Council as being inadequate as a consequence of the rezoning of the locality in Parramatta LEP 2011 and has not been identified by Council as inadequate regarding the proposed development of the site.

The local bus services have been assessed in the TTM Traffic Report and subsequently reviewed by Council's Traffic Engineer's and considered to be suitable to adequately accommodate the resultant increase in population as a consequence of the proposed development.

Renotification

In accordance with Council's notification procedures contained within Appendix 5 of Parramatta DCP 2011, the amended plans of the proposal were advertised and owners and occupiers of surrounding properties were given notice of the application for a 21 day period from 24 October 2014 to 7 November 2014. In response, three (3) submissions were received.

The issues raised within the submission are addressed below.

Submissions 1, 2 & 3
6, 8 & 10 Rangihou Crescent, Parramatta

- Concerns regarding visual privacy and overshadowing of properties.

Planning Comment: Building D of the originally lodged DA plans that is adjacent to the submitter's property comprised 95 units and was 80m-84m in length and 6 to7 storeys in height. As a consequence of the amended plans, this building has been split into 2 smaller buildings known as Building D and Building F that comprise 31 and 34 units respectively and are 5 and 6 storeys in height respectively. This has resulted in a 30 dwelling reduction in density in the western part of the site that adjoins the common site boundary to the submitters properties. As can be seen on elevation plan DA206 Issue C, the amended plans indicate that visual bulk and scale has been significantly reduced and therefore visual privacy and overshadowing impacts to adjoining properties have in turn also been reduced to a satisfactory level.

Notwithstanding this, it is acknowledged that Building D and Building F will give rise to a degree of visual privacy and overshadowing impact upon the submitters properties. However, visual privacy impacts are expected to be mitigated as a consequence of the retention and protection of the row of mature Tallowwood trees adjacent to the western property boundary that adjoins the properties on the eastern side of Rangihou Street that will provide significant screening.

In terms of overshadowing, at 9am in midwinter the shadow cast from Building D and Building F will almost entirely overshadow the submitters properties. However, on account of the north-south orientation of the subject site, as the morning progresses the shadow cast moves away from the Rangihou Street properties, with the shadow cast entirely moving off the adjoining properties by around 11am to 11.30am. As such, the submitters properties will receive at in excess of 3 hours of solar access in midwinter from late morning and until the afternoon period.

Importantly, the locality is an area in transition with the desired future character of the locality being medium and high density residential and mixed use development as a consequence of the applicable zonings, building heights and FSRs of the locality under Parramatta LEP 2011. Accordingly, it is considered that the amended plans of the proposal have responded positively to the building height and massing transition from the high density residential future character to the east of the site to the future low-medium density residential future character to the west of the site. Therefore the proposed development (as amended) is considered to have significantly mitigated the potential adverse amenity impacts upon adjoining properties whilst maximising the development potential intended under Parramatta LEP 2011.

ENVIRONMENTAL PLANNING INSTRUMENTS

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

Given the historical use of the land for various industrial uses and as the Parramatta City Council works depot potential site contamination issue are pertinent to the proposed redevelopment of the site to high density residential development and thus the provisions of SEPP No. 55 have been considered in the assessment of the development application.

The following documents have been submitted in support of the development application in regard to site contamination:

- Contamination and Geotechnical Assessment report prepared by Martens Consulting Engineers and dated 6 September 2012;
- Preliminary (Stage 1) Environmental Site Assessment prepared by Martens Consulting Engineers and dated 10 September 2012;
- Supplementary Contamination Assessment prepared by Martens Consulting Engineers and dated 6 March 2013; and
- Remedial Action Plan prepared by Martens Consulting Engineers and dated 22 July 2014.

Stage 1
A Stage 1 investigation was carried out on the site that concluded the following:

"*A review of site history and walkover inspection indicates the site has been used as PCC depot (Section 3.3) for approximately 25 years. As a consequence of this use, it is considered that potential soil contamination exists with the site that could impact upon future development and use.*

Based on observations compiled during the site walkover and the site history assessment, eight (8) AEC were identified within the investigation area (Section 3.11). It is recommended that a preliminary Stage 2 ESA with soil sampling be undertaken to assess potential soil contamination associated with the identified AEC. Due to the variety of AEC identified with the investigation area, it is recommended that a broad suite of contaminants be selected for analysis during Stage 2 ESA works.

A preliminary assessment for the potential presence of ASS and soil salinity on site has been completed with findings indicating a likely presence of both, particularly in the southern portion of the site. Future site development will need to consider undertaking a complete ASS and salinity assessment including soil sampling and groundwater monitoring if development involves any excavation."

Stage 2
As such, a Stage 2 Supplementary Contamination Assessment was commissioned by Parramatta City Council to further assess the distribution and extent of contaminants in the soils and groundwater by intrusive investigations and laboratory analysis. The report concluded the following:

"Site investigations indicate soil contamination at levels present an unacceptable risk of harm to sensitive receptors is largely restricted to fill in the southern portion of the site. In addition to this bonded asbestos was identified at the surface and in fill materials, while asbestos fibres in soil were identified along the northern site boundary.

Contaminants in the southern fill areas include total PAH and benzo(a)pyrene at unacceptable concentrations. Additionally, aromatic TPH (C16-C35) concentrations occur at levels at unacceptable levels. We consider that remediation shall be

required for impacted areas of the site to minimise potential risk of harm to end users of the site and to render the site fit for future redevelopment.

Assessment of groundwater contamination surrounding UPSS infrastructure indicates low level TRH contamination and heavy metal contamination. UPSS infrastructure is likely to be the source of existing

TRH impacts to groundwater; however source of heavy metal impacts cannot be confirmed at this stage."

In light of investigation findings, we recommend the following works:

- *Installation of an up hydraulic gradient groundwater monitoring well to evaluate groundwater quality moving onto site.*

- *Installation of groundwater monitoring wells down gradient of MW3and MW2 to assess migration, extent and distribution of groundwater contamination.*

- *An additional round of groundwater monitoring, including the new monitoring well installation, to further evaluate groundwater quality.*

A remedial action plan (RAP) shall be required to outline remedial goals and strategies to complete the remediation. The development of the RAP shall be required to formalise the appropriate remedial strategy, in light of the most sensitive end users of the site.

Remedial Action Plan

A Remedial Action Plan (RAP) was therefore prepared for JQZ Developments in July 2014 to support the development application for the high density residential redevelopment of the site. The RAP provides the remediation and validation specifications to render the site suitable for residential development and implementation of the RAP in its entirety will ensure the site is suitable for the proposed development.

Accordingly, a draft condition of consent is provided at the recommendation to ensure the RAP is implemented in its entirety during the site remediation process, and is certified as such prior to the issue of a Construction Certificate.

Accordingly, with the provision of the above documentation that supported the development application and the implementation of the RAP it is considered that the development application has satisfactorily considered and addressed the relevant matters for consideration under SEPP 55.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

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

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.

Clause 102 - Impact of road noise or vibration on non-road development
The application is not subject to Clause 102 of the SEPP as the average daily traffic volume of Morton Street is less than 40,000 vehicles.

STATE ENVIRONMENTAL PLANNING POLICY 64 – ADVERTISING & SIGNAGE

The application does not propose the display of any signage. Any future signage for the site may be subject to a separate application.

STATE ENVIRONMENTAL PLANNING POLICY – BASIX

The application for the residential development of the site has been accompanied with a BASIX Certificate (No. 560579M_03 dated 27 October 2014) 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 passing the water, thermal comfort and energy targets.

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 located in the vicinity of the foreshore of the Parramatta River with the exception of the objective of the protection and rehabilitation of riparian corridors and remnant vegetation (given that the site does not adjoin the foreshore), the objectives of the SREP are therefore applicable to the proposed development.

The proposed development represents an appropriate and anticipated redevelopment of the site following rezoning of the site and surrounds as part of Parramatta LEP 2011. The development is therefore considered consistent with the provisions contained within the deemed SEPP by the stormwater drainage system proposed and endorsed by Council (subject to appropriate conditions of consent).

STATE ENVIRONMENTAL PLANNING POLICY NO.65 – DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT (SEPP 65)

A design statement addressing the design quality principles prescribed by SEPP 65 has been prepared by the project architect and submitted with the application. The statement addresses each of the 10 principles and an assessment of this is made below.

1. ***Context***

   Good design responds and contributes to its context. Context can be defined as the key natural and built features of an area.

   Responding to context involves identifying the desirable elements of a location's current character or, in the case of precincts undergoing a transition, the desired future character as stated in planning and design policies. New buildings will thereby contribute to the quality and identity of the area.

   Architect Response:

   - *The proposal relates to future desired and approved contextual built forms*
   - *Stepped building heights to connect the higher approved development at 2 Morton Street to the east (up to 12 storeys) with the future built form height of 4 storeys to the west*
   - *Lower building heights towards the north to relate to the lower scaled nursing home and existing single dwellings*
   - *Stepped building heights following the topography of the site*
   - *The proposal reinforces and contribute to the future character of the precinct*
   - *Building type and scale transitional between existing surrounding and future character building*
   - *Architectural form and design establish building identity within its context and reinforces a strong urban form*
   - *Appropriate building types in its urban context*

   Comment:
   It is considered that the design of the proposed building responds well to the urban context of the site and will positively contribute to the desired high density future urban character of the area that has been intended in the rezoning of the land to R4 High Density Residential in Parramatta LEP 2011. The scale of apartment 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.

2. ***Scale***

   Good design provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings.

   Establishing an appropriate scale requires a considered response to the scale of existing development. In precincts undergoing a transition, proposed bulk and height needs to achieve the scale identified for the desired future character of the area.

Architect Response:

- *The proposal provides transitional heights between the higher No 2 Morton and lower scale of future development to the west*
- *The proposal is well under the allowable height limit of 34m*
- *The bulk of the buildings are similar to those approved at No. 2 Morton*
- *The residential front setbacks reinforce the street edge to Morton + New Zealand Streets*
- *The bulk + scale in line with the future character of planning controls the stepping of the buildings towards the west ensures reasonable daylight access to surrounding developments and the public domain*
- *the apartment bulk is broken down through entry 'slots' and bedroom recesses along every linear facade*
- *vertically, the bulk is split into base, middle and top to reduce impact and articulate the built forms*

Comment:
The amended plans indicate that the scale of apartment buildings on the site reflects the transition in building height and scale intended in Parramatta LEP 2011 and Parramatta DCP 2011, from the high density residential development east of the site at No. 2 Morton Street to the lower scale medium density residential development to the west and north of the site. In this regard, Building A and E that front Morton Street and do not immediately adjoin neighbouring properties are 11 and 9 storeys in height respectively. Whilst Buildings B, C, D and F that are located in the north (B and C) and west (C, D & F) of the subject site are of lower scale at 6, 4, 5 and 6 storeys respectively. The proposed building height of each proposed residential flat building is considered to respond appropriately to the site and the transitional scale urban context of the locality.

3. Built form

Good design achieves an appropriate built form for a site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements.

Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.

Architect Response:

- *The built form suitable for intended building use*
- *The proposed building setbacks are in accordance with the DCP to align with future proposed and approved buildings, future street connections + the new New Zealand Street connection*
- *Outlook and vistas are maximised through the minimisation of the number of buildings, the opening up of the central spaces and providing a through site link along the western boundary down to the river.*
- *Building separation complies with the SEPP: Up to 4 storeys/12m: 12m between habitable rooms / balconies, 9 m between habitable and non-*

habitable and 6m between non habitable. 5 to 8 storeys / 25m 18m between habitable rooms /balconies, 13m between habitable and non-habitable and 9m between non habitable. Building depth of 18m

- *Quality landscape areas are to be provided in between the buildings*
- *Unit modules arranged around multiple cores to support more dual and corner aspect apartments*
- *Massing and facades articulated to break down scale and create building identity, while improving internal amenities*
- *Massing articulation allows units access to district views and improve natural lighting and ventilation*

Comment:
The design achieves an appropriate built form for the site and the apartment buildings purpose, in terms of building alignments, proportions, type and the manipulation of building elements.

An important design element in this respect is the north-south alignment of the apartment buildings or "finger" design approach that allows views to be achieved down the site towards the Parramatta River and reduces the visual bulk and scale of the development proposal as viewed from the public reserve areas along the Parramatta River and in the wider locality. Also this built form approach has allowed the creation of the large central podium courtyard adjoining the north of the proposed new street that will serve as a central meeting and socialising place that is expected to have high amenity.

The proposed apartment buildings also address Morton Street and the new street appropriately providing adequate street activation and visual interest when viewed from the public domain.

4. Density

Good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents).

Appropriate densities are sustainable and consistent with the existing density in an area or, in precincts undergoing a transition, are consistent with the stated desired future density. Sustainable densities respond to the regional context, availability of infrastructure, public transport, community facilities and environmental quality.

Architect Response:

- *Appropriate density for locality*
- *Responds to medium / high density developments in the surrounding context*
- *Lower density than the approved adjacent 2 Morton Street.*
- *Density responds to brief and market demand*
- *Increase number of smaller, more affordable apartments*
- *Utilises existing infrastructure and transport*

Comment:

As discussed in detail below, a 1.2:1 maximum FSR applies to the site under Parramatta LEP 2011. The originally DA lodged plans proposed a FSR of 1:32:1 representing a 10% variation to the development standard. The amended plans have reduced the FSR to 1.29:1 which still represents a 7.8% variation. This in turn has resulted in a reduced number of units proposed from 361 to 355.

Whilst this still represents a variation to the 1.2:1 maximum FSR development standard (albeit to a lesser extent), the shifting of floor space (and therefore height and building bulk) from the western part of the site south of the new street to the eastern part of the site south of the new street has significantly mitigated the potential adverse impacts internally and to adjoining properties from the additional density proposed above the 1.2:1 FSR maximum.

Accordingly, the density is considered appropriate for this large site and its context given the R4 High Density Residential zoning of the site, in terms of floor space yield, number of units and potential number of new residents. The proposed density of the apartment development is regarded as sustainable and consistent with the desired future character and density of the locality. The proposed density is considered to adequately respond to the availability of infrastructure, public transport, community facilities and environmental quality.

5. Resource, energy and water efficiency

Good design makes efficient use of natural resources, energy and water throughout its full life cycle, including construction.

Sustainability is integral to the design process. Aspects include demolition of existing structures, recycling of materials, selection of appropriate and sustainable materials, adaptability and reuse of buildings, layouts and built form, passive solar design principles, efficient appliances and mechanical services, soil zones for vegetation and reuse of water.

Architect Response:

- *Units orientated north and west to maximise solar access to apartments (north is slightly to the west of the site)*
- *buildings stepped to west to minimise overshadowing of adjacent properties*
- *Efficient use of materials. A simple palate of natural and / or robust materials has been selected.*
- *Energy efficient design. Cross ventilation is achieved in over 63% of the units, all common lobbies, over 25% of kitchen. Vertical louvres incorporated to shade flush western glazing. horizontal projections to shade flush northern glazing. The fall of the land is utilised to provide the car parking with natural ventilation where possible.*
- *The building will incorporate water + energy efficient fittings, OSD + rainwater reuse. Refer to BASIX certificate*
- *Efficient / flexible planning. Modular unit design allows future flexibility and potential future adaptive reuse to meet future demands*

- *Medium to high density within well serviced areas is a sustainable land use*
- *The development contributes to a high density population (urban sprawl minimisation)*

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

6. Landscape

Good design recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain.

Landscape design builds on the existing site's natural and cultural features in responsible and creative ways. It enhances the development's natural environmental performance by co-ordinating water and soil management, solar access, micro-climate, tree canopy and habitat values. It contributes to the positive image and contextual fit of development through respect for streetscape and neighbourhood character, or desired future character.

Landscape design should optimise useability, privacy and social opportunity, equitable access and respect for neighbours' amenity, and provide for practical establishment and long term management.

Architect Response:
- *Deep soil landscape and general landscape areas easily comply due to the minimal footprint of the development*
- *Communal space will be substantially over the min. 10m2 per dwelling due to the minimal footprint of the proposal.*
- *vast central spaces are proposed for both active and passive use, including an outdoor gym, children's play area and community gardens*
- *The close proximity of quality parks, footpaths and other open spaces within walking distance*
- *Future river walk + cycleway to be developed to the south of the site*
- *Deep soil landscaping is provided as a privacy screen and landscape buffer to adjoining properties*
- *Podium planter boxes to be min 1 m in depth*

Comment:
It is proposed that a significant amount of attractive screen landscaping be provided along the road frontages, property boundaries, the podium areas of the central courtyard north of the new street and the courtyard south of the new street. The landscaping is considered appropriate and responds well to the site and proposed development. Furthermore, the existing mature Tallowwood trees located adjacent to the western boundary are proposed to be protected during construction and retained. The retention of these existing mature trees is considered a key element of the landscaping and natural outcome of the redevelopment of the site.

7. Amenity

Good design provides amenity through the physical, spatial and environmental quality of a development.

Optimising amenity requires appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas, outlook and ease of access for all age groups and degrees of mobility.

Architect Response:

- *Efficient, usable unit design*
- *Building depth max. 18m (glass to glass)*
- *Cross ventilation to 63% of units*
- *37% of kitchens naturally ventilated*
- *89% of units receive min. 2 hrs of sun between 9am-3pm mid winter*
- *Natural light + ventilation provided to all lift lobbies*
- *North and west orientations maximised for solar amenity only 6% south facing apartments*
- *All single aspect apartments <8m deep*
- *All kitchens <8m from windows*
- *2.7m minimum ceiling provided to habitable areas*
- *Acoustic privacy to be provide through masonry party walls and back to back wet areas where possible*
- *A vast amount of open space is provided*
- *A Mix of 1, 2 and 3 bedrooms apartments is achieved*
- *Minimum unit sizes (1Bed- 55sqm, 2 Bed- 75-80sqm, 3 Bed—95-100sqm)*
- *Adequate storage is provided: 6m3 – 1bed unit; 8 m3 – 2 bed unit; 10 m3 – 3bed unit*
- *10% adaptable units (36)*

Comment:

The proposal is considered to be satisfactory in this regard, optimising internal amenity through appropriate room dimensions and shapes, and adequate 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, facilities and adaptable units for people with disabilities.

It is noted that following the comments received from Council's Urban Design team in regard to the internal layout of some units in the development, amended plans were received satisfactorily addressing these concerns.

8. Safety and security

Good design optimises safety and security, both internal to the development and for the public domain.

This is achieved by maximising overlooking of public and communal spaces while maintaining internal privacy, avoiding dark and non-visible areas, maximising activity on streets, providing clear, safe access points, providing quality public spaces that cater for desired recreational uses, providing lighting appropriate to the location and desired activities, and clear definition between public and private spaces.

Architect Response:

- *Activate street frontages, which will maximise activity on street level*
- *Clear distinction between private and public spaces*
- *Casual surveillance maximised*
- *clear, multiple street and building entries*
- *fencing for child safety*
- *adequate landscape and entry lighting will be provided*
- *basements + buildings to have security access*

Comment:
A CPTED report has been prepared by Think Planners which is considered to satisfactorily address the safety and security issues of the proposed development, subject to draft conditions of consent. The proposal is considered to be satisfactory in terms of future residential occupants overlooking public and communal spaces while maintaining internal privacy. The pedestrian and vehicle access to the building is generally satisfactory in terms of perceived safety in the public domain and the number of ground floor units with direct street access increases street activation and effective guardianship of the public domain.

9. Social dimensions

Good design responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities.

New developments should optimise the provision of housing to suit the social mix and needs in the neighbourhood or, in the case of precincts undergoing transition, provide for the desired future community.

New developments should address housing affordability by optimising the provision of economic housing choices and providing a mix of housing types to cater for different budgets and housing needs.

Architect Response:

- *A range of dwelling options to offer affordable accommodation*
- *Accessible units in 2 buildings with 3 different orientations*
- *Increase quality of life and housing choices to reflect the diverse social mix within the Parramatta area to sustain a vibrant community Total 360 units*
- *75 x 1 bed (21%, the same % as approved at No 2 Morton Street)*
- *253 x 2 bed (70%)*
- *32 x 3 bed (9% only 5% approved at No 2 Morton Street)*

Comment:

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. It is considered that the proposal satisfies these requirements. A Social Impact Assessment has been prepared by Think Planners that is considered to satisfactorily address this issue.

10. Aesthetics

Quality aesthetics require the appropriate composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the development. Aesthetics should respond to the environment and context, particularly to desirable elements of the existing streetscape or, in precincts undergoing transition, contribute to the desired future character of the area.

Architect Response:

- *3 types are used throughout the development, corresponding to orientation. Material selections reflect the articulation. This provides the development with a variety of facades to identify the individual buildings, whilst still relating them to each other, highlighting that they are part of the same development.*
- *Vertically the buildings are broken down into base, middle and top, with material selections reflecting these. 2 types of stone are used on the bases, recessed levels are in a darker grey, whilst mid levels are white and tones of bronze. The top level are once again recessed and dark with light bronze roofs cantilevering over to finish off the buildings.*
- *The composition of facades provide an appropriate scale, rhythm and proportion, which respond to the building's use and the desired contextual character*
- *Strong horizontal / bay façades to relate to needed sunshading and plan recesses for lobbies and bedrooms*

Comment:

The proposed apartment development is considered to be 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 buildings respond to the environment and context, contributing to the desired future character of the area.

The applicant has satisfactorily responded to the comments of the DEAP and Council's Urban Design Team in preparing the amended plans in terms of external building façade aesthetic and internal design of some unit.

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 ten 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 highlights the controls relevant to this proposal:

PARAMETER	CONTROL	PROPOSAL	COMPLIANCE
Residential Flat Design Code			
Building Depth	Depth should be between 10-18m	Building A: 23m Building B: 24m Building C: 24m Building D: 20.5m Building E: 20.5m Building F: 20.5m	No (see comments below)
Separation	12m between habitable rooms (up to 4 storeys) 18m between habitable rooms (5-8 storeys) 24m between habitable rooms (9 storey and above) 9m between habitable rooms and non-habitable rooms (up to 4 storeys) 13m between habitable rooms and non-habitable rooms (5-8 storeys) 18m between habitable rooms and non-habitable rooms (9 storey and above)	Internal Separation: Building A-Building B: 15.125m Building A-Building E: 23m-26.4m Building D/F-Building E: 21m Building B-Building C: 12m Building D-Building F 13m and 18m (upper most floor) Adjoining Sites: Building B- 3 Morton St: 7.6m Building B-Parramatta Nursing Home: 7.6m Building C-Parramatta Nursing Home: 7.6m Building C-houses to west: 19.5m Building D & F-Rangihou Crescent dwelling houses:	 Yes generally (No for Level 6 & 7 of Building A – see comments below) Yes generally (No for Level 9 & 10 of Building E (see comments below) Yes Yes No (see comments below) Yes upper most floor No (see comment below) No (see comment below) No (see comment below) Yes Yes

		16m-20m Buildings A, B & E-No. 2 Morton Street (approved buildings): Greater than 24m	Yes
Storage	1 bedroom 6m3 2 bedroom 8m3 3 bedroom 10m3	2 combined storage areas within unit and basement.	Yes
Balconies	Provide primary balconies for all apartments with a depth of 2m.	All dwellings have balconies with a minimum size of 10m² minimum depth of 2m	Yes
Residential Ceiling heights	Minimum 2.7m	2.7m – 2.75m	Yes
Min. Apartment size	1 bedroom 50m2 2 bedroom 70m2 3 bedroom 95m2	All dwelling units comply with these minimum areas	Yes
Open Space	The area of communal open space should be between 25-30% of the site area.	35% of site area	Yes
Deep Soil	A minimum of 25% of the open space area should be a deep soil zone (25% of required=40m²)	30% of site area	Yes
Internal circulation	A maximum of 8 units should be provided off a double loaded corridor	Maximum 7 units per floor core	Yes
Daylight Access	Living rooms and private open spaces for at least 70% of apartments should receive 3 hours direct solar access on winter solstice In high density areas 70% of apartments should receive 2 hours direct solar	63% of the units will receive 3 hours sunlight on winter solstice 82% will receive 2 hours on winter solstice Site zoned R4 High Density Residential. It is noted that DA372/2012 for No. 2 Morton Street considered the locality a high density residential area and thus the 2 hours of direct sunlight to 70% of dwellings was acceptable to Council	Yes

	access on winter solstice	and the JRPP.	
Daylight Access	Limit the number of single aspect apartments with a SW-SE aspect to a maximum of 10% of total units	22 units are single aspect south facing units. 6% of the proposed development	Yes
Natural ventilation	60% of units should be naturally cross ventilated	63%	Yes
Natural ventilation	At least 25% of kitchens should have access to natural ventilation	37% are naturally ventilated	Yes
Natural ventilation	The back of a kitchen should be no more than 8m from a window	All compliant	Yes

Planning comment on non-compliances:

Building Depth

The applicant responded to concerns raised regarding the proposed non-compliances with the 10m-18m building depth control of the RFDC with detailed diagrams indicating the cross ventilation of units and levels within the proposed apartment buildings. Think Planners provided the following comments:

> *"The building depths proposed need to be carefully understood in relation to the key amenity objectives sought, particularly against the RFDC principles.*
>
> *It is noted that the proposal does not exceed the rules of thumb in the RFDC for cross ventilation. The architects have prepared a diagrammatic analysis of the amenity provided to the apartments (submitted and represented below), helpfully identifying the relevant building depths against the principles set out in the RFDC. The analysis confirms that there needs to be a more detailed appreciation of the way in which the apartments are laid out to test the design against the RFDC.*
>
> *A simple measure of the building depth is inadequate in testing the apartment amenity. If the building depth led to poor ventilation, unacceptable solar access and back of kitchens that were set back further than 8m from an opening, only then would it be relevant to suggest that the building depth is too great. As Council will appreciate, the RFDC suite of controls works together to achieve improved amenity."*

It is considered that the justification provided by the applicant is reasonable and the building depths of the dwelling units within proposed buildings are appropriate. This is because the site planning of the buildings and internal design of the dwelling units provide for a high amenity to most dwelling units in the proposed development in terms of cross ventilation and solar access.

Building Separation

The proposed development largely complies with the building separation controls of the RFDC with minor non-compliances contained to small components of the proposed apartment buildings. The applicant responded to the concerns raised in the additional information letter regarding SEPP 65 RFDC non-compliances and addressed the building separation issues as follows:

Non-compliance	Response
Building A - Building B: 15.125m	Levels 6 and 7 of Building A require a building separation of 18m in order to comply. The applicant has responded to this non-compliance by ensuring that a wall with no openings is located on the building directly opposite the identified non-compliance. This has resulted in one half of the northern elevation of Building A on Levels 6 & 7 not having openings and part of the southern elevation of Building B on Level 5 not having openings in order to comply with the habitable room and non-habitable room building separation control of 13m. This response is considered appropriate, however in order to allow for better internal solar access while maintaining visual privacy it is recommended that the kitchen windows for the northern elevation for Levels 6 and 7 be reinstated and be of fixed obscure glass.
Building A - Building E: 23m-26.4m	This non-compliance relates to Level 9 and 10 of Building E having a building separation of 23m and not 24m. Also, it only relates to the two corner units that face Morton Street. The 1m non-compliance affecting 2 units is considered minor and strict compliance is not considered necessary to improve the amenity of these two units.
Building D - Building F: 13m and 18m (upper most floor)	Strictly an 18m building separation is required between these two buildings. The applicant has responded to this by providing the southern elevation of Building D with no openings in order to comply with the 13m building separation control for habitable rooms and non-habitable rooms. This is considered an acceptable solution and does not compromise internal solar access.
Building B - 3 Morton St:	This non-compliance relates to the building

7.6m	separation between Building B and 3 Morton Street. Building B is setback 6m from the northern boundary of the site. Given that the 3 Morton Street is also zoned R4 High Density Residential, the 6m setback of Building B does not inhibit the future residential development potential of this site (ie 6m + 6m setbacks = 12m compliant building separation). This 6m setback also allows for deep soil screen tree planting in this area, which is proposed as part of the landscape plan.
Building B - Parramatta Nursing Home: 7.6m	This non-compliance relates to the building separation between Building B and the adjoining Parramatta Nursing Home. Building B is setback 6m from the northern boundary of the site. Given that the Parramatta Nursing Home site is also zoned R4 High Density Residential, the 6m setback of Building B does not inhibit the future residential development potential of this site (ie 6m + 6m setbacks = 12m compliant building separation). This 6m setback also allows for deep soil screen tree planting in this area, which is proposed as part of the landscape plan.
Building C – Parramatta Nursing Home: 7.6m	This non-compliance relates to the building separation between Building B and Parramatta Nursing Home. Building C is setback 6m from the northern boundary of the site. Given that the Parramatta Nursing Home is also zoned R4 High Density Residential, the 6m setback of Building C does not inhibit the future residential development potential of this site (ie 6m + 6m setbacks = 12m compliant building separation). This 6m setback also allows for deep soil screen tree planting in this area, which is proposed as part of the landscape plan.

Design Excellence Advisory Panel (DEAP)

The application had been previously considered by the Design Excellence Advisory Panel in a pre-lodgement meeting held on 13 June 2012 (see comments in "Background" section of the report).

The current application was referred to Council's Design Excellence Advisory Panel that met on 10 September 2014 to consider the development application. The comments of the Panel are below that is followed by a planning comment:

The 10 design principles were considered by the panel in discussion of the development application. These are: ***Context, Scale, Built Form, Density, Resource, Energy and Water Efficiency, Landscape, Amenity, Safety and Security, Social dimensions and Aesthetics.***

The Design Excellence Advisory Panel makes the following comments in relation to the project:

1. *The Panel noted that most of the issues identified at the earlier DEAP meeting had been addressed, and acknowledged that a significant amount of work had been undertaken to improve the design.*

   Planning Comment: Noted.

2. *Concern was expressed by the Panel that with only reduced plans available, a thorough appreciation of the changes and improvements to the proposal was only possible with the Applicant's presentation of larger scale documentation, including site analysis, building envelope and 3d views, and the materials palette selection and rationale. If possible such material should be made available before a DEAP meeting using digital issue via DVD if necessary.*

   Planning Comment: Noted. For Council attention.

3. *The Applicant indicated how the site planning rationale had changed, with GFA redistribution in the revised layout and building envelopes. The Panel considered that this achieved better at-grade communal open spaces and connections within the site, sharing of views, and improved massing and orientation of 'fingers' relative to the proposal for the adjacent site on the other side of Morton Street and views from the other side of the river.*

   Planning Comment: Following the DEAP Meeting the design was amended to increase the height of Building E from 9 to 11 storeys. Building D was also replaced with two smaller buildings (renamed Building D and Building F) and reduced in height by 1 storey (ie 5 storeys and 6 storeys). It is considered that this design amendment to the proposed apartment development further improves the building envelopes and massing on the site whilst not changing the north-south "finger" orientation of the proposed buildings, communal open spaces or sharing of views of the proposed development.

4. *Location of communal uses adjacent the northern courtyard was noted by the Panel as an improved outcome, complementing the active and passive recreational areas planned in that zone. The opening up of the southern landscaped connection to the Parramatta River was also supported.*

Planning Comment: The landscaped communal open space areas are a key feature of the proposed development that is anticipated to result in high amenity and socialising opportunities for residents.

5. *Along the Morton Street frontage, the Panel felt that the extension of podium treatment for Building B to Building A adjacent, and for Building E on the lower side of the new private road would provide a more cohesive alignment and legible base to the street.*

Planning Comment: The applicant has responded to this DEAP comment by doubling the height of the façade podium treatment to Building A, Building B and Building D fronting onto Morton Street. This is considered to provide a more cohesive alignment and legible base to the street.

6. *With respect to the proposed ground level entries to all buildings, the Panel advised that due to CPTED issues there should be an additional controlled entry closer to the street that would deal with any potential security issues created by restricted views into the access passage. This could be dealt with via a gate with associated intercom.*

Planning Comment: The applicant has responded to this DEAP comment by doubling the height of the façade podium treatment to Building A, Building B and Building D. This is considered to provide a more cohesive alignment and legible base to the street.

7. *The Applicant gave a detailed explanation of the elevation system that was based on a materials palette that enabled two distinctive façade treatments to be achieved that could distinguish separate facing sides of buildings. The Panel agreed that this provided a coherent expression for the overall architecture across varied conditions and orientations on the site.*

Planning Comment: The external materials, colours and finishes selected are considered appropriate and are expected to positively contribute to the visual aesthetics of the proposed development.

8. *The Panel felt the landscape strategy and design were much improved. With two major spaces that differed in shape and detail, the Panel agreed that this provided a necessary balanced mix of private, communal and public zones and a hierarchy of hard and soft landscaping. It was noted that inclusion of a sub-station within the Morton Street frontage between Buildings A and B would require an adjustment to the entry and ramp layout to accommodate required setbacks.*

Planning Comment: The landscaping strategy is a key element of the proposed development and is expected to provide a high level of amenity for residents. The sub-stations have been relocated to the basement car park level adjacent to Morton Street and are therefore not visible from street level.

9. *Provision of an exterior lighting package was requested as a worthwhile addition to the submission that could demonstrate how safety and access*

could be improved after dark. It was understood by the Panel that design for an extension of open space to connect with the River Walk was pending Council liaison to implement this strategy.

Planning Comment: The provision of an appropriate exterior lighting package plan is included as a draft condition of development consent in the Recommendation. This is to be provided to the PCA prior to the issue of a Construction Certificate.

10. *It was noted by the Panel that the proposal slightly exceeded the FSR control, and there were several instances of non-compliance with SEPP 65 setback guidelines. In the context of the overall planning and design quality, the Panel did not consider that these should be an issue. The use of performance glazing was noted as a response to solar gain on the western facades. Its efficacy should be established during the DA approval process.*

This application does not need to be reviewed by the Panel again.

Planning Comment: The amended plans have decreased the FSR from 1.32:1 to 1.29:1 and also satisfied the underlying objectives and mostly compliance with the "rules of thumb" provisions and design principles of SEPP 65 and the RFDC.

Urban Design Comments

The amended plans were referred to Council's Urban Design Team for review and the following comments were provided:

2. BACKGROUND
This proposal was also referred to the UD team at pre-lodgement stage (PL/24/2014). Please find attached our UD comments for the pre-lodgement as background material. The PL design was presented to the DEAP and was reviewed again by the DEAP at the DA stage. The current iteration of the Development Application is as a result of input/ review from Council staff at PL stage, DEAP at PL and DA stages and the JRPP at DA stage.

31. *URBAN DESIGN COMMENTS*
We commend the following aspects of the proposal:

- *The current iteration of the proposal has evolved into a considered design response. It generally acknowledges the review and input by Council's urban design team and the DEAP to date.*
- *The drawing content and information is of a high order as is the materials and finishes nominated.*
- *The built form massing as proposed in broadly in line with the comments provided at PL stage and at subsequent meetings with the applicants.*
- *The DEAP comments has informed the improved the inter-building setback, general arrangement of the building footprints as well as the quality of open space.*
- *Generally the units appear to be well resolved – with the exception of some issues with design standards of kitchen and studies (refer below).*

- *From an urban design perspective the generous inter-building setbacks, a high order of materials, finishes and quality of landscape greatly assist to make this a proposal of merit. It is very important that the design integrity specifically these aspects are retained in the approved design and any subsequent variations.*

The following are the key urban design observations / issues:

- *Legibility of the electronic drawings are an issue especially for fine notation.*
- *We defer to the DTSU for any breach of height and yield. Any further increase of height and yield would be to the detriment of the proposal.*
- *An alignments plan must be provided for UD/ public domain review.*
- *The three point turn on the new EW street must be clear of any on-street car parking spots – currently this is unclear.*
- *The CPTED matter raised by the DEAP viz. a two stage controlled pedestrian entry must be conditioned in the DA. I refer to Item 6 of the DEAP's comments dated 10/9/2014.*
- *The exterior lighting package requested by the DEAP must be conditioned in the DA. I refer to Item 9 of the DEAP's comments dated 10/9/2014.*
- *Some units have limited kitchen counter space which is interrupted by a doorway or located along a circulation space (eg. 122, 126, 131, 132, 135). The units identified are not the only ones within the proposal and is a design issue. Our concern is that this result in kitchens which are not appropriate especially for 2 bedrooms units and above – it is suggested that the kitchen counters are contiguous (unless arranged as parallel/ island counters) and have at least 4.8 lineal metres inclusive of sink and stovetop but exclusive of fridge / built in laundries/ storage units (labelled S). In any case, the kitchen space should be commensurate with the size of units/ number of bedrooms. Anthropomorphic dimensions for food preparation must be used and not rely on minimum circulation standards (as low as 750mm in some instances). A galley kitchen should allow 1.2 m separation with a dining table to allow adequate circulation space and room for food preparation.*
- *Internal studies in units (eg. 50, 55) have been provided at the expense of smaller kitchens/ limited counter space and tight circulation/ insufficient clearance between the dining table and the kitchen counter. The units identified are not the only ones and is a design issue. Where kitchen and studies compete, we would recommend a more generous kitchen be provided rather than compromise both. In the two bedroom units with studies, the applicants must ensure the kitchen is the standard 7.5 sqm parallel/ island counter layout used elsewhere.*
- *Studies which have external windows should ideally be developed as an adaptable bedroom – it is recommended a min 3m dimension is adopted for these studies with external windows. This is not to trigger increased car parking but to improve amenity and adaptability of the units.*
- *The materials palette, especially the metal cladding/ panelling to the soffits of the roof overhang, screens and entrances (copper, bronze and Corten®) must be conditioned (equal or better) as part of the DA to ensure these are not downgraded in subsequent iterations.*

- *The landscape content (both quantity and quality) too must be ensured. Any subsequent change must be of an equal or better status and should be conditioned in the DA.*

Planning Comment: All of the urban design issues raised above have been addressed either as draft conditions of consent in the Recommendation, or amended plans have been submitted appropriately responding to them. In this regard amended plans were received on 27 November 2014 that updated the internal layouts of some units to satisfactorily address the comments from the urban design team. Furthermore, the two on-street car parking spaces at the western end of the new street have been deleted in order to allow for a small rigid truck to undertake a 3 point turn.

The exception to this is the requested conversion of studies with windows to adaptable bedrooms. This is considered to be an unreasonable request that could significantly change the internal layout and marketing strategy of the affected units for little environmental or social benefit. In any event, the proposed development complies with the required percentage of adaptable units.

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	**Comply? Y/N**	**Compliance/Comment**
4.3 Height of Buildings Do the buildings comply with the maximum building height shown for the land on the Height of Buildings Map?	Yes	The Height of the Buildings Map indicates that buildings on this site can be a maximum height of 34m above existing natural ground level. The building heights proposed for the development comply with the maximum building height requirement ranging from 9.5m to 34m.
4.4 Floor Space Ratio Does the development comply with the maximum floor space ratio shown for the land on the Floor Space Ratio Map?	No	The Floor Space Ratio Map indicates that buildings on this site can achieve a maximum floor space ratio of 1.2:1. The originally submitted application provided a FSR of 1.32:1 or a 10% variation. The amended proposed seeks a 1.29:1 FSR or a 7.8% variation. The applicant has lodged a Clause 4.6 Exception justification to vary this 1.2:1 maximum FSR development standard. This is discussed in detail below.

5.1 and 5.1A Development on land intended to be acquired for public purposes Is any portion of the land identified for acquisition for local road widening on the Land Reservation Acquisition Map?	N/A	The site is not identified on this map.
5.6 Architectural roof features Does an architectural roof feature result in a building exceeding the maximum building height for the site outlined in clause 4.3? If yes does the roof feature satisfy clause 5.6.3?	Yes	The architectural roof design for the proposed apartment buildings is considered appropriate and does not exceed the maximum building height.
5.7 Development below mean high water mark	Yes	The proposal does not apply to the development of land that is covered by tidal waters.
5.9 Preservation of trees	Yes	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.
5.10 Heritage Conservation Does the development satisfy clause 5.10.4 (effect of proposed development on heritage significance)?	Yes	As discussed, the proposed development adjoins the State Significant Heritage item Broughton House. A Heritage Assessment and a Heritage Impact Statement were prepared by GML and lodged with Council. These documents were also referred to Council's heritage advisor for comment. It was considered that the proposed development would not have an adverse impact upon the significance of Broughton House or its surrounds. Council's heritage advisor commented that the proposed building envelopes could be revisited in order to protect the historic views from Elizabeth Farm towards Broughton House and beyond (View Point 4). As previously discussed, from a View Point 4 perspective this view corridor is not anticipated to be affected as Building A, Building B and Building E of the proposed

		development are located behind the approved 12 storey building envelope at 2 Morton Street and are also of a lower height. As such, the heritage significance of Broughton House, Wavertree and historic view View Point 4 has been considered and there is not expected to be a significant impact upon heritage significance as a consequence of the proposed development.
5.10.8 Aboriginal Places of Heritage significance What is the identified Aboriginal significance of the site?	No	The Archaeological Assessment provided in support of the application concluded that no Aboriginal sites have been identified within the site. The area is also considered of low archaeological potential. Accordingly the proposal is not considered to impact an Aboriginal place of heritage significance.
6.1 Acid sulfate soils What class of Acid Sulfate Soil does the Acid Sulfates soil Map indicate the site contains? Is an Acid Sulfate Soils Management Plan Required?	Yes No	Class 2 and Class 5 The Stage 1 Environmental Assessment Report prepared by Martens Consulting Engineering and dated September 2012 has undertaken a preliminary Acid Sulfate Soils Assessment. This revealed that the southern portion of the site mapped as Class 2 (largely proposed to be dedicated as open space to Council) will need further testing should future development occur in this location. However, the remainder of the site mapped as Class 5 (the development site) is likely to be of low risk of ASS presence. However further testing of soil material will be required (condition of consent. As such, pursuant to Clause 6.1(4)(a) of Parramatta LEP 2011 an Acid Sulfate Management Plan has not been identified as being required.
6.2 Earthworks Are the earthworks associated with the development appropriate?	Yes	The extent of earthworks proposed is not considered significant for a development of this nature. Council's Development Engineer has reviewed the application including the proposed amount of excavation and considers that the proposed earthworks are satisfactory.
6.3 Flood planning	Yes	Although the site is identified as being

Is the site flood prone?		affected by the 1:20 year and 1:100 year flood levels, the floor levels of the residential development will be located above the flood planning level. See detailed discussion by Council's Catchment Management section under the 'Referrals' section of this report.
6.4 Biodiversity protection Is the site identified as containing biodiversity on the 'Natural Resources – Biodiversity Map'?	N/A	The site is not identified on this map as affected.
6.5 Water protection Is the site identified as being riparian land on the 'Riparian Land and Waterways Map?	N/A	The site is not identified on this map as affected.
6.6 Development on landslide risk land Is the site identified as being landslide risk land on the 'Landslide Risk Map?	N/A	The site is not identified on this map as affected.
6.7 Affected by a Foreshore Building Line Is the site affected by the foreshore building line?	N/A	The site is not identified on this map as affected.

Floor Space Ratio – Clause 4.6 Exception Variation

The Floor Space Ratio Map (Figure 7) proposed indicates that residential flat buildings on site can achieve a maximum floor space ratio of 1.2:1.

The originally submitted application provided a FSR of 1.32:1 or a 10% variation. The amended proposed seeks a 1.29:1 FSR or a 7.8% variation.

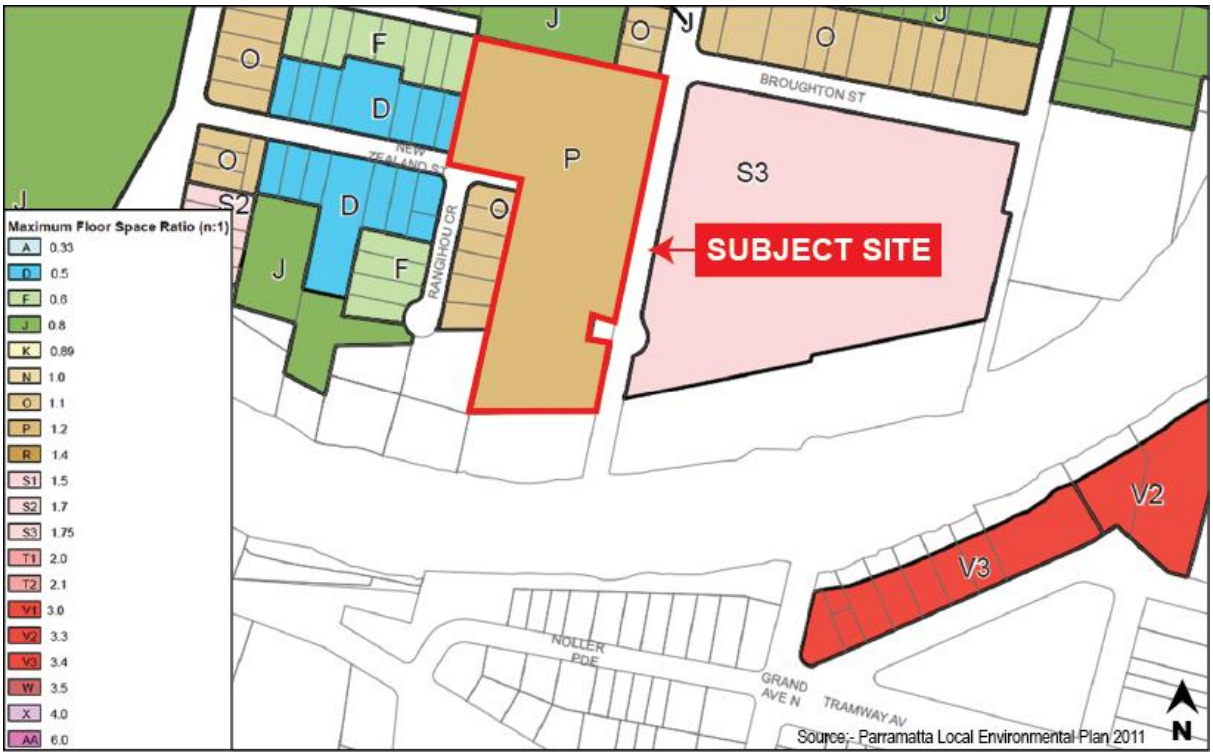


Figure 7: Buildings Height Map

As requested, the applicant has lodged an updated and more detailed Clause 4.6 Exception justification to vary this development standard. The rationale of the Clause 4.6 Exception to the strict application of the 1.2:1 FSR Development Standard is as follows from the applicant (Think Planners submission) with a planning comment as necessary:

- *The proposal has been designed after a thorough analysis of the surrounding context, including approved developments, to arrive at the most appropriate built form and density on the site.*
- *The design evolution was undertaken in a collaborative manner with consultation undertaken with Council planning staff, Council urban design staff and the independent Design Excellence Advisory Panel. Amendments were made progressively to the proposal, both prior to and after DA lodgement, to ensure that the proposal achieved design excellence and does not generate impacts on the amenity of occupants or adjoining parties.*

Comment: There has been an extensive design process with significant consultation and input from Council's planners, Urban Design team, the DEAP and DFP (consultant planners assessing the application on behalf of Council).

DEAP were supportive of the building massing and 1.32:1 FSR of the originally submitted development application. However it was considered that Building D of the original application at 80m-84m in length and 6 to 7 storeys in height that was located 6m from the lower scale residential properties of Rangihou Crescent did not adequately respond to the intended transition of building height, massing and density

from the highest residential density to the east of the site (2 Morton Street) to the future medium residential densities to the north and west of the site.

As such, the proposed 10% variation to the 1.2:1 maximum FSR development standard was not supported as it was considered that a more FSR compliant scheme could have mitigated the concerns raised with the original Building D.

With the amended plans breaking up Building D into two smaller buildings (ie Building D & Building F) and the reduction in height by 1 storey, it is considered that the building height, massing, and density of the site is now consistent with transition of these elements across the site from east to north & west as intended in the relevant planning control provisions of Parramatta LEP 2011 and Parramatta DCP 2011. These design amendments to the proposed apartment development are also considered to have significantly improved the internal amenity of the southern part of the development proposal and also mitigated the adverse amenity impacts upon adjoining residents to the west.

Accordingly, as a consequence of the significant reduction in the building massing, height and density at the western portion of the site, there was considered an opportunity to reintroduce the tower element identified in the indicative building envelopes in Figure 4.1.9.2 of Parramatta DCP 2011. This design amendment to the development proposal has been supported by Council's Urban Design team.

This has resulted in a shifting of GFA from the more sensitive and intended medium residential density of the western part of the site to the eastern part of the site adjacent to Morton Street (Building E). This in turn has significantly reduced the potential adverse amenity impacts on the existing and intended future medium residential density development to the west of the site, whilst also positively contributing to the visual significance of the Morton Street Precinct by reintroducing a tower element up to the 34m maximum building height development standard of Parramatta LEP 2011.

The 11 storey Building E will therefore stand at the river foreshore end of Morton Street together with the Council and JRPP approved 12 storey building opposite the subject site at 2 Morton Street. When read from the southern side of the Parramatta River, the amended design of the proposed apartment development ensures that the building height and density of the Morton Street Precinct increases to a maximum for the most southern buildings fronting Morton Street then decreases to the west.

- *The site is located on the fringe of the Parramatta CBD and presents a once on a generation opportunity to deliver additional housing in a location that is walkable to the Parramatta CBD. Such opportunities are rare and land of such size, and in such a location, is a scarce resource and the delivery of an appropriate scale of development on the site of key importance. The site analysis undertaken has demonstrated that the site is capable of accommodating additional gross floor area without adverse impacts on the locality and surrounding land uses that interface with the site. This is a result of the careful site planning and building form massing carried out by the Project Team.*

Comment: It is agreed that the design as amended is capable of accommodating the proposed additional floor space for the reasons discussed above. The site is a good opportunity to deliver a significant amount of housing adjacent to the Parramatta River and in close proximity to a major employment and economic centre within and in the vicinity of the Parramatta CBD. Accordingly the proposed 7.8% variation to the FSR development standard is supported.

- *The proposal provides for a number of discernible public benefits:*
  - *Delivery of additional housing on the fringe of the CBD;*
  - *Activation of the foreshore area;*
  - *Dedication of land to Council that will enable improved connectivity to the foreshore and the continuance of the ongoing pedestrian and cyclist pathways along the foreshore;*
  - *Provision of logical sequence of built forms around a series of new pedestrian links through the site that will be accessible to the public and deliver on the desired permeability through the site envisaged by the DCP.*

Comment: The delivery of the above public benefits are considered to be in the public interest.

- *The size and context of the site has enabled a detailed master planning approach to the building placements that ensures that amenity impacts to adjoining properties are mitigated and that the distribution of additional floor space across the site will not be discernibly different to a built form that is compliant with the FSR control.*

Comment: It is agreed that a compliant FSR of 1.2:1 on the site as a consequence of the design as amended would not result in an improved or significantly different proposed apartment development on the site. Indeed, should floor space be taken off Building E and its building height and/or massing reduced it is considered that the urban design outcome would be poorer for the Morton Street high density residential precinct.

To put this into perspective, deleting two levels from Building E would result in a FSR of approximately 1.21:1 and a reduction in building height from 11 storeys to 9 storeys. In this scenario, the tower element would be lost and Building E would be lower in height (RL) than Building A due to the gradient fall of the development site and significantly lower (approximately 8m) than the 12 storey building approved directly opposite at 2 Morton Street. Furthermore, there would be a reduction in the proportion of dwelling units in the proposed development achieving 2 and 3 hours of solar access in midwinter given the high levels of amenity and solar access achieved by the 10^{th} and 11^{th} floor dwelling units of Building E. Accordingly, it is considered that a near compliant FSR scheme would not result in an improved urban design or amenity outcome for the site and the Morton Street Precinct in this instance.

- *The traffic modelling concludes that the impact of the development on the surrounding traffic network is acceptable.*

Comment: Council's Traffic Engineering Section has reviewed the development application and Traffic Report submitted and are supportive of the application subject to conditions.

- *The detailed design that set building placement and building heights has been undertaken in concert with GML to ensure that the view corridors through the site do not impact on the setting of the State Heritage Item to the north of the site.*

Comment: The proposed development's impact upon Broughton House and significant historic views from Elizabeth Farm (View Point 4) are considered acceptable as discussed in this report.

- *The scale and intensity of the development is appropriate noting that the proposal complies with the maximum height, setbacks and Morton Street precinct development control, which demonstrate an appropriate development outcome.*

Comment: Agreed for the reasons provided above.

- *Overall the built form is considerably lower than the permissible height on the site. The built form provides for a transition in height from the taller development to the east of the site to the lower development permissible to the west of the site. The additional FSR has not led to an inability to provide a transition in height across the site, consistent with the intent of the planning controls.*

Comment: Agreed for the reasons provided above.

The Clause 4.6 Exception justification also discusses the *Wehbe v Pittwater Council [2007] NSW LEC 827* case. Of the 5 different ways detailed in the judgment that an objection (ie SEPP No. 1) can be well founded, the applicant discussed the first way as follows:

1. *The objectives of the standard are achieved notwithstanding non-compliance with the standard.*

   The proposed density does not impact upon the generation of vehicular and pedestrian traffic that cannot be accommodated in the traffic and pedestrian network.

   The proposed provides a transition in built form and land use intensity not only on the site, but responds to the different built form controls that exist on each side of the site.

   The bulk and scale of the buildings and their location have responded to the heritage site and its setting.

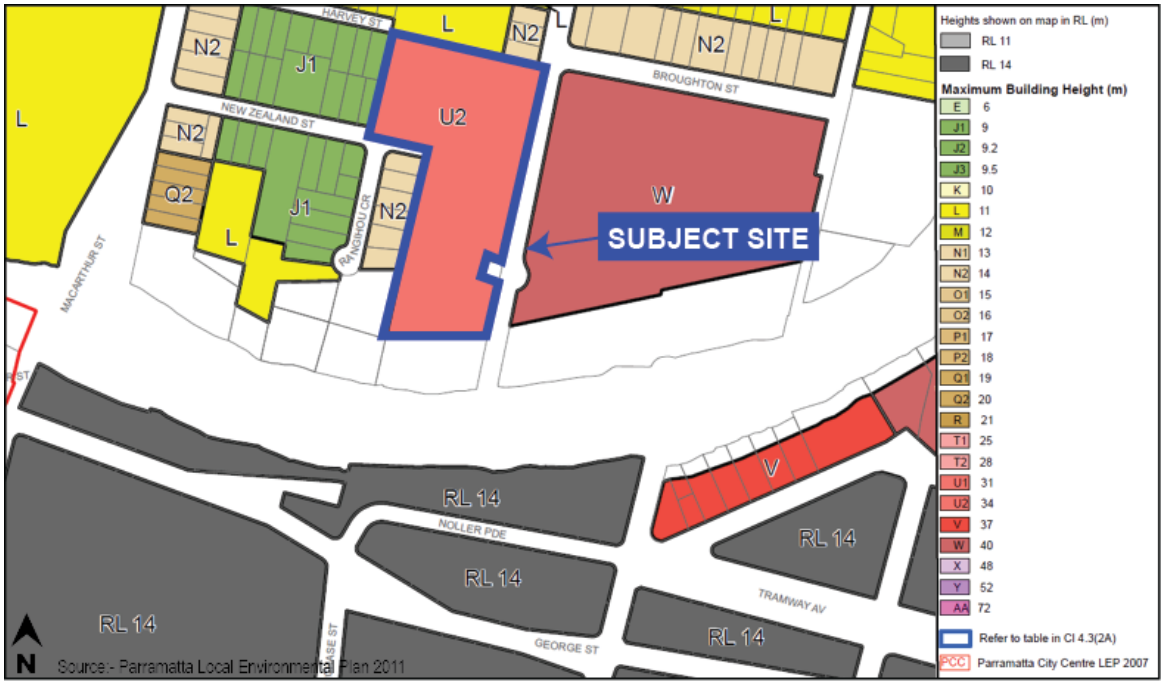
   The objectives of the standard are achieved notwithstanding non compliance with the standard.

Comment: It is agreed that the proposed development despite its numerical departure from the 1.2:1 FSR development standard is consistent with the objectives of the development standard for the reasons provided above.

Accordingly, it is considered that the Clause 4.6 Exception justification is well founded and the proposed 7.8% variation to the FSR development standard is supported in the circumstances of this amended design for the proposed apartment development.

Figures 8 & 9: Originally Lodged Site Plan (upper figure) and Amended Site Plan (lower figure). Note: Building D broken into two smaller buildings.

Figures 10 & 11: Originally Lodged western elevation plan (upper figure) and Amended western elevation plan (lower figure).



Figures 12: Height of buildings Map - Parramatta LEP 2011

DEVELOPMENT CONTROL PLANS

PARRAMATTA DEVELOPMENT CONTROL PLAN 2011

The relevant matters to be considered under PDCP 2011 for the proposed development are outlined below:

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 Harris Park Heritage Conservation Area in Part 4.	The site is located within the view corridor (View Point 4) of the Elizabeth Farm/Harris Park Colonial Precinct. The application included a review of these view corridors and concluded that the proposed development will not significantly impact on the historical views.	Yes
2.4.2 Water Management		
2.4.2.1 Flooding Is the site flood affected by local or mainstream flooding? If yes refer to section 2.4.2 of DCP 2011 for detailed controls.	The site is affected by the 1:20 year and 1:100 year flood. It is also affected by the probable maximum flood (PMF). See detailed discussion by Council's Catchment Management section under the 'Referrals' section of this report.	Yes
2.4.2.2 Protection of Waterways Does the site adjoin a waterway? If yes does proposed landscaping comprise of local indigenous species?	N/A	N/A
2.4.2.3 Protection of Groundwater	The Supplementary Contamination Assessment prepared by Martens Consulting Engineers dated March 2013 has undertaken groundwater contamination testing and has	Yes

	recommended the installation of groundwater monitoring wells and an addition round of groundwater monitoring. Furthermore, the RAP has specific requirements regarding the remediation and validation of groundwater. The above recommendations and requirement are included as draft conditions of consent.	
2.4.3 Soil Management		
2.4.3.1 Sedimentation Are there adequate erosion control measures?	An Erosion and Sedimentation Control Plan has been provided. Specific conditions have been imposed to ensure that the development will minimise sedimentation of waterways and not unduly contribute to windblown soil loss.	Yes
2.4.3.2 Acid sulphate soils	Refer to LEP table above.	Yes
2.4.3.3 Salinity 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'? If yes, have investigations been undertaken in accordance with the Western Sydney Salinity Code of Practice 2003? If yes, does landscaping comprise of low water use species and are irrigation systems low water usage?	The site has been identified as being within an area of moderate salinity potential pursuant to Salinity Study Map for Western Sydney 2006'. The Stage 1 Preliminary Environmental Assessment states the following in regard to salinity: *"Preliminary desktop assessment reveals salinity may be a development constraint particularly in the lower lying (southern) areas of the site adjacent to the Parramatta River. Further assessment including soil analysis will be required prior to any proposed development."* The southern portion of the site is proposed to be dedicated as open space to Council. As such, the submitted landscaping plans	Yes

	do not incorporate this area and it will be subject to Council's management once dedicated.	
2.4.4 Land Contamination		
Is the site identified as or likely to be contaminated? If yes have the requirements of SEPP 55 been satisfied?	Provided the RAP is implemented in its entirety, the site is rendered appropriate for high density residential development. Please refer to the referrals section of this report for detail.	Yes
2.4.5 Air Quality		
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?	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.	Yes
2.4.6 Development on Sloping Land		
Does the design of the development respond to the slope of the land?	The proposed development is considered to adequately respond to the slope of the land which has been appropriately balanced with the massing controls of the Morton Street Precinct.	Yes
2.4.7 Biodiversity		
31.10.9.1 *General* Is vegetation removal appropriate? Does the landscape plan incorporate indigenous planting listed in Appendix 3?	The removal of the vegetation and trees proposed is acceptable. Council's Tree Management and Landscape Officer has confirmed via a draft condition of consent which trees are approved to be removed and which are proposed to be retained and protected.	Yes
3. DEVELOPMENT PRINCIPLES		
3.1 Preliminary Building Envelope		
3.1.3 – Preliminary Building Envelope Table		

Height Maximum height is shown on the LEP 'Height of Buildings Map' – 34m	The buildings comply with the LEP height limit	Yes
Floor space ratio Maximum floor space ratio is shown on the LEP 'Floor Space Ratio Map' – 1.2:1	The overall development will have a FSR of 1.29:1. This is discussed above under the heading Floor Space Ratio – Clause 4.6	Yes (subject to approval of Clause 4.6 Variation request)
Minimum site frontage Minimum 18m where more than 10m in height	The site has 163m frontage to Morton Street.	Yes
Front setback Primary frontage – 5m to 9m Secondary frontage 3m – 5m	Buildings A, B and E are set back between 5m and 9m from the property boundary of Morton Street.	Yes
Side Setback 4.5m	North: Building B = 6m Building C = 6m West: Building C = 17.5m Building D = 9m South: Building F = 4m-5.3m (av. 4.6m) Building E = 14m-15m The setback non-compliance of Building F to the southern boundary is considered reasonable given that it is a minor variation and only relates to the south east corner of the building. Minimal adverse amenity impact is expected as a consequence of the numerical non-compliance.	Yes (except Building F – minor variation)
Rear Setback 15% site length	Not applicable given the configuration of the site.	N/A

Deep Soil Zone 30%, with minimum dimensions of 4m x 4m = 6,750m² min total	Total = 6,858m² or 30.4%	Yes
Landscaped Area Minimum 40% (incl. deep soil zone) = 9,000m² min	Total = 10,105m² or 44.9%	Yes
3.2. Building Elements		
3.2.1 Building Form and Massing		
Are the height, bulk and scale of the proposed building consistent with the building patterns in the street?	The proposal complies with the relevant height requirements. It is considered that with the lodgement of amended plans that the height, bulk and scale of the development are satisfactory in this context.	Yes
3.2.2 Building Façade and Articulation		
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? Does the building exceed the building envelope? If yes, by more than: • 800mm for balconies and eaves:	The facades of the development are appropriately modulated with the incorporation of balconies, windows, varied wall positions and changes in materials. As requested by the DEAP the podium façade treatment for the proposed apartment buildings facing Morton Street has been doubled in height. The development does not exceed the building envelope and therefore complies with Council's building height requirements. These matters are discussed elsewhere within the report. N/A	Yes Yes N/A Yes

• 600mm for Juliet balconies and bay windows Does the development have a multiple stair/lift cores to encourage multiple street entries?	All buildings have separate stair/lift cores and will allow access from both the Morton Street and new street frontages	Yes
3.2.3 Roof Design		
Does roof form minimise the bulk and scale of the building? Does the roof form respond to the local context, in particular scale and pitch?	The roof form is minimal in scale and does not adversely add to the bulk and scale of the building.	Yes
3.2.4 Energy Efficient Design		
Where applicable, development is to demonstrate compliance with the design principles embodied in the Building Sustainability Index (BASIX).	A BASIX assessment has been included in the application and shows that the development complies with the SEPP requirements.	Yes
3.2.5 Streetscape		
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?	The development reflects the desired future character of the area, and is expected to positively contribute to the emerging medium and high density residential environment of the locality.	Yes
Does the development provide an address to the laneway?	N/A – there is no laneway	N/A
Is the development within 3m of the laneway edge?	N/A – there is no laneway	N/A
Are the mail boxes visually integrated with the development and located conveniently for access by residents and deliverers?	Mail boxes are located within the entry lobbies of the development. This location will not adversely impact the existing streetscape character.	Yes
3.3 Environmental Amenity		
3.3.1 Landscaping		
A landscape plan, prepared by a suitably qualified person, is to be submitted for development that, in Council's opinion, will significantly alter the landscape character.	The Arboricultural Report, the peer review of the report and the landscape plan were all prepared by relevantly qualified consultants and were	Yes

	referred to the relevant Council officers for review. Subject to the recommended conditions of consent the Arboricultural Report and Landscape Plan are supported.	
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 2.5m and area of $10m^2$.	Yes
A minimum of $10m^2$ of communal open space per dwelling is to be provided. Is landscaped communal open space provided on the site?	The development proposes two large landscaped communal open space areas for the use of future residents. These landscaped courtyards are a key design feature of the proposed development and are expected to be high utilised by residents and visitors.	Yes Yes
3.3.3 Visual and Acoustic Privacy		
Does the development achieve required separation between habitable rooms/non habitable rooms? Minimum separation between habitable rooms/balconies is 12m up to three storeys and 18m above.	Building separation and visual privacy are discussed at the SEPP 65 RFDC section of the report.	Yes (generally)
3.3.4 – Acoustic Amenity		
Is the development located within proximity to noise-generating land uses such as major roads and rail corridors? 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?	The site is not located in the immediate vicinity of a major road or rail corridor.	Yes
3.3.5 Solar Access and Cross Ventilation		
Solar Access Does this dwelling receive a	All of the proposed dwellings will receive solar access to the habitable rooms and private	No

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?	open space areas. 82% of proposed dwellings receive in excess of 2 hours of sunlight to living areas and private open spaces between 9.00am and 3.00pm during mid-winter, consistent with the RFDC. Whilst this does not meet the DCP requirements (for solar access to habitable rooms), it is considered to represent an acceptable provision of solar access to the development in accordance with the SEPP 65 RFDC guidelines for development in high density residential zoned areas and is consistent with the solar access criteria accepted by Council and the JRPP for the approved DA for a mixed use high rise development at No. 2 Morton Street. Given the north south orientation of the site, by approximately 11am in midwinter the shadow cast by Buildings D and F move off the adjoining properties to the west on Rangihou Crescent and on to the site. As such, solar access has not been reduced to adjoining properties by more than 2 hours between 9am and 3pm in midwinter.	
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?		Yes
Cross Ventilation The minimum floor to ceiling height is 2.7m. 80% of dwellings are to be naturally cross ventilated.	Minimum 3.05m floor to ceiling heights nominated 63% of units are naturally cross ventilated. This ratio is however consistent with the	Yes No

	RFDC.	
Single aspect dwellings are limited in depth to 8m from a window.	All habitable rooms in southern aspect dwellings comply.	Yes
The maximum building depth is 18m.	The building depths range from 20m-24m. This non-compliance is discussed in the SEPP 65 RFDC Section of the report and is considered appropriate given the compliance with the natural ventilation and solar access requirements of the RFDC.	No
3.3.6 – Water Sensitive Urban Design		
Is the on-site detention system appropriately designed to minimise and control nuisance flooding and to provide safe passage for less frequent floods?	Council's Development Engineer has reviewed the development including the proposed stormwater management and has not raised objection, subject to conditions.	Yes
3.3.7 – Waste Management		
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 was submitted with the application. The arts plan was referred to Council's Arts Officer who was generally supportive of the plan subject to conditions of consent.	Yes
3.4.2 Access for People with disabilities		
Does the development contain adequate access for people with a disability?	A disability access report has been prepared by Cheung Access dated 25 July 2014. It was concluded that the proposed development has capacity for compliance provided further detail of BCA	Yes

	and Australian Standards compliance is provided at Construction Certificate stage.	
3.4.4 Safety and Security		
Has the development been designed in accordance with crime prevention principles? Are the building entries orientated to the street? Are habitable rooms located at the front of dwellings?	A CPTED report has been prepared by Think Planners. It is considered that the findings are well founded and the development has been adequately designed with CPTED principles in mind. Conditions of consent are recommended however to further improve the crime deterrence attributes of the proposal.	Yes
3.4.5 Housing Diversity and Choice		
<u>The desired housing mix is as follows:</u> 3 bedroom 10% - 20% 2 bedroom 60% - 75% 1 bedroom 10% - 20% Have any adaptable dwellings been provided?	31 bed – 9% (31 dwellings) 2 bed – 67% (239 dwellings) 1 bed – 24% (85 dwellings) The minor non-compliance is considered acceptable as the proposal provides a diverse housing range and flexibility is achieved with the varied unit types, orientation and location on the site to accommodate a number of lifestyle choices. It is unlikely that non-compliance with the housing mix will have significant impacts upon housing choice and affordability within the area. 37 adaptable units have been provided, representing 15% of the proposed development.	No, minor variation Yes
3.5 Heritage		

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.	The site adjoins Broughton House a State listed Heritage Item and Wavertree, and is also located within the significant heritage view corridor (View Point 4) from Elizabeth Farm to Broughton House and beyond. A Heritage Impact Statement has been prepared by Godden Mackay Logan dated July 2014 concludes that there will be no heritage impact on Broughton House and Wavertree nor View Point 4 as a consequence of the proposed development. This conclusion is supported based on a review of the Heritage Impact Statement and site inspections.	Yes
3.6 Movement & Circulation		
3.6.2 Parking and Vehicular Access		
Minimum Car Parking Rates - 1 space / 1 bedroom unit - 1.25 space / 2 bedroom unit. - 1.5 spaces / 3 bedroom units. - 0.25 spaces / dwelling for visitor car parking (a car wash bay may be used as a visitor space) **Total requirement =** 451 spaces The reduced car parking rate calculation has been used by the applicant for development within 400m walking distance of a railways station. However due to the proximity of the site to the ferry and the pedestrian cycleway and walking distance to Parramatta CBD, Council traffic engineering officers	471 spaces	Yes

support the car parking arrangements and thus the use of the reduced car parking rate. Therefore using the reduced car parking rate, the proposed development exceeds the minimum car parking generation rate by 20 spaces.		
3.7 Residential Subdivision		
Is the proposed Strata Plan appropriate?	The site is proposed to be Torrens title subdivided creating a 4,132m² lot in the lower southern portion of the site that is proposed to be dedicated to Council. The remaining 18,368m² lot is the development site. Strata subdivision of the buildings is not proposed at this time.	Yes
4A Special Precincts		
4.1.9 Morton Street Precinct		
Desired Future Character	The proposed development is consistent with the desired future character objectives of the Morton Street Precinct. In particular, the proposed buildings are highly articulated with an attractive palate of building façade materials and finishes selected. Furthermore, the proposed development is expected to have high amenity for future residents whilst not giving rise to significant impacts upon adjoining residential properties given the site planning, and sympathetic building height and massing.	Yes
Indicative Building Envelopes	The proposed development does not conform to the indicative layout shown in the DCP. There has been an extensive design process in consultation with Council's Urban Design Team and the DEAP that has arrived at the modified apartment building layouts for the site. Both the	Yes Yes

	Urban Design Team and the DEAP are supportive of the amended site layout proposed, and it is considered that the "finger" north-south design response of building orientation has planning merit in this instance. It is noted that the amended plans have reintroduced the tower element (Building E) to the design, and therefore achieves a higher consistency with the indicative building envelopes identified in Figure 4.1.9.2. This design amendment to the development proposal has been supported by Council's Urban Design team.	
Street Setback Type A: 3m Type C: 3m and dedicated footpath Type E: 4m	Morton Street Type A: Building B: 10.3m* (3m following footpath dedication) Building A: 6.9m* (3m following footpath dedication) Building E: 7.2m* (3m following footpath dedication) * current boundary New Street: Type A: Building A: 3m Building E: 3m Building D: 3m New Street: Type C: Building C: 3m There has been an extensive design process in consultation with Council's Urban Design Team and the DEAP that has resulted in the amended plans. Both the Urban Design Team and the DEAP are supportive of the design and setbacks of the	 Yes Yes No (acceptable on merit) Yes Yes No (acceptable on merit) Yes

	proposed buildings.	
Street Front Height Type A: 9m – 4 storeys 14m – 6 storeys 20m – 8 storeys Type C: 11m – 3 storeys 14m – 4 storeys Type E: 28m – 10 storeys 34m – 12 storeys	Morton Street Type A: Building B 6 storeys: 15m-17m Building A 9 storeys: 25m-27m Building E: 9 storeys: 24m-27m New Street: Type A: Building A 9 storeys: 25m-27m Building E 9 storeys: 23m-24m Building D 6 storeys: 14.5m-16m New Street: Type C: Building C 4-5 storeys: 12m-13m There has been an extensive design process in consultation with Council's Urban Design Team and the DEAP that has resulted in the amended plans. Both the Urban Design Team and the DEAP are supportive of the design and street frontage heights of the proposed buildings. It is considered that the building design and facades of the amended plans have planning merit.	No (acceptable on merit)
Upper Level/s Setback Type A: 4m upper two levels Type C: 4m upper floor	Morton Street Type A: Building B Top level only 3m Building A Top level only 2.8m Building E: Top level only 3.5m New Street: Type A: Building A	No (acceptable on merit

	Top level only 2.8m Building E Top level only 3.8m Building D Top level only 2.2m Rear setback: Type C: Building C 2.6m There has been an extensive design process in consultation with Council's Urban Design Team and the DEAP that has resulted in the amended plans. Both the Urban Design Team and the DEAP are supportive of the design and upper level setbacks of the proposed buildings.	
Landscaping and Deep Soil	The proposal complies with the deep soil planting requirements of the DCP, and the detailed landscaping design has been supported by Council's relevant officers.	Yes
Traffic, Access and Parking	The proposal incorporates the future road and pedestrian linkages prescribed in the DCP.	Yes
Public Domain	The land along the Parramatta River will be dedicated to Council and provide the opportunity to create linkages with the surrounding public parkland.	Yes

POLICIES

S94A DEVELOPMENT CONTRIBUTIONS PLAN

The Parramatta City Council Section 94A Development Contributions Plan (Amendment No. 3) dated 11 December 2013 applies to the site.

The applicant's updated project cost estimate contained in correspondence dated 25 November 2014 estimates that the total construction cost of the project will equate to $72,660,000 excluding GST or $79,926,000 including GST.

Accordingly pursuant to Clause 3.9 of Council's Section 94A Development Contributions Plan (Amendment No. 3) 1% of the estimated cost of works (inc. GST) will be levied as developer contributions. Therefore:

79,926,000 x 0.01 = $799,260

A condition of development consent is included at the Recommendation that will require payment of the contribution prior to the Construction Certificate being issued.

PLANNING AGREEMENTS

The proposed development is not subject to a planning agreement.

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 apartment 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 high density residential development.

SUBMISSIONS & PUBLIC INTEREST

Five (5) submissions were received in response to the notification of the application and three (3) submissions were received in response to the renotification of the application following the receipt of amended plans. The issues raised within the submission have been discussed within this report.

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 LEP 2011
- 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 conditions.

Recommendation

General Matters

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

Drawing No.	Issue	Prepared By	Dated
Architectural			
DA 000	F	aleksandar design group	Nov 2014
DA 001	B	aleksandar design group	Oct 2014
DA 002	B	aleksandar design group	Oct 2014
DA 003	B	aleksandar design group	Oct 2014
DA 004	D	aleksandar design group	Oct 2014
DA 010	E	aleksandar design group	Nov 2014
DA 011	F	aleksandar design group	Nov 2014
DA 012	F	aleksandar design group	Nov 2014
DA 013	E	aleksandar design group	Nov 2014
DA 014	D	aleksandar design group	Nov 2014
DA 015	E	aleksandar design group	Nov 2014
DA 016	D	aleksandar design group	Nov 2014
DA 017	D	aleksandar design group	Nov 2014
DA 018	D	aleksandar design group	Nov 2014
DA 019	D	aleksandar design group	Nov 2014
DA 020	E	aleksandar design group	Nov 2014
DA 021	E	aleksandar design group	Nov 2014
DA 022	D	aleksandar design group	Nov 2014
DA 023	C	aleksandar design group	Nov 2014
DA 024	C	aleksandar design group	Nov 2014
DA 025	C	aleksandar design group	Nov 2014
DA 026	C	aleksandar design group	Nov 2014
DA 027	C	aleksandar design group	Nov 2014
DA 028	C	aleksandar design group	Nov 2014
DA 029	B	aleksandar design group	Nov 2014
DA 030	B	aleksandar design group	Nov 2014
DA 200	C	aleksandar design group	Oct 2014
DA 201	C	aleksandar design group	Oct 2014
DA 202	C	aleksandar design group	Oct 2014
DA 203	C	aleksandar design group	Oct 2014
DA 204	C	aleksandar design group	Oct 2014
DA 205	C	aleksandar design group	Oct 2014
DA 206	C	aleksandar design group	Oct 2014
DA 207	B	aleksandar design group	Oct 2014
DA 208	B	aleksandar design group	Oct 2014

DA 209	A	aleksandar design group	Oct 2014
DA 300	B	aleksandar design group	Oct 2014
DA 301	B	aleksandar design group	Oct 2014
DA 302	B	aleksandar design group	Oct 2014
DA 303	B	aleksandar design group	Oct 2014
DA 304	B	aleksandar design group	Oct 2014
DA 305	B	aleksandar design group	Oct 2014
DA 306	B	aleksandar design group	Oct 2014
DA 307	B	aleksandar design group	Oct 2014
DA 308	B	aleksandar design group	Oct 2014
DA 309	A	aleksandar design group	Oct 2014
DA 400	B	aleksandar design group	Oct 2014
DA 401	B	aleksandar design group	Oct 2014
DA 402	B	aleksandar design group	Oct 2014
DA 500	B	aleksandar design group	Oct 2014
DA 501	B	aleksandar design group	Oct 2014
Civil and Stormwater Engineering			
DA1.01	3	Northrop	21.10.14
DA2.01	4	Northrop	21.10.14
DA2.11	3	Northrop	21.10.14
DA3.01	4	Northrop	21.10.14
DA4.01	4	Northrop	21.10.14
DA4.02	4	Northrop	21.10.14
DA4.03	4	Northrop	21.10.14
DA4.04	4	Northrop	21.10.14
DA4.05	4	Northrop	21.10.14
DA5.01	4	Northrop	21.10.14
DA6.01	8	Northrop	21.10.14
DA6.02	7	Northrop	21.10.14
DA7.01	5	Northrop	21.10.14
DA7.02	4	Northrop	21.10.14
DA7.03	4	Northrop	21.10.14
DA7.04	4	Northrop	21.10.14
DA9.01	4	Northrop	21.10.14
DA9.02	3	Northrop	21.10.14
DA9.03	6	Northrop	21.10.14
DA9.04	6	Northrop	21.10.14
DA9.05	3	Northrop	21.10.14
Landscape Architectural			
L01	B	jila	22.10.14
L02	B	jila	22.10.14

Document(s)	**Prepared By**	**Dated**
Statement of Environmental Effects	Think Planners	31 July 2014
Clause 4.6 Variation (updated)	Think Planners	undated
Social Impact Assessment	Think Planners	October 2014
CPTED Report	Think Planners	October 2014
BASIX Certificate No. 560579M-03	Outsource ideas	27 October 2014
Cost estimate	Newton Fisher &	25 November 2014

	Associates Pty Ltd	
Acoustic Assessment Report	soundmatters	17 July 2014
Heritage Assessment	GML	March 2013
Heritage Impact Statement	GML	July 2014
Arboricultural Impact Report	Landscape Matrix	25 July 2014
Review of Arboricultural Reports	Urban Forestry	23 October 2014
Proposed Stormwater Management Strategy	Northrop	28 July 2014
Report on Community and Stakeholder Engagement	Three Plus	28 July 2014
Compliance Report	Dix Gardener	1 August 2014
Disability Access Report	Cheung Access	25 July 2014
Contamination and Geotechnical Assessment	Martens Consulting Engineering	July 2012
Preliminary (Stage 1) Environmental Site Assessment	Martens Consulting Engineering	September 2012
Supplementary Contamination Assessment	Martens Consulting Engineering	March 2013
Remedial Action Plan	Martens Consulting Engineering	July 2014
Arts Plan	Vertebrae	undated

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

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

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

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

3. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Construction Certificate. Plans, specifications and relevant documentation accompanying the Construction Certificate must include any requirements imposed by conditions of this Development Consent.

   Reason: To ensure compliance with legislative requirements.

4. The development must be constructed within the confines of the property boundary. No portion of the proposed structure, including footings/slabs, gates and doors during opening and closing operations must encroach upon Council's footpath area or the boundaries of the adjacent properties.

Reason: To ensure no injury is caused to persons and the building is erected in accordance with the approval granted within the boundaries of the site.

5. Approval is granted for the demolition of all buildings and outbuildings currently on the property, subject to compliance with the following:-
   (a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.
      Note: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.
   (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
   (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to Parramatta City Council for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
   (d) On the first day of demolition, work is not to commence until Parramatta City Council has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
   (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001
   (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
   (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the

various service authorities regarding their requirements for the disconnection of services.

(h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".

(i) Demolition is to be completed within 5 days of commencement.

(j) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.

(k) 1.8m high Protective fencing is to be installed to prevent public access to the site.

(l) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:

  (i) Proposed ingress and egress of vehicles to and from the construction site;

  (ii) Proposed protection of pedestrians adjacent to the site;

  (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.

(m) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).

(n) Before demolition works begin, adequate toilet facilities are to be provided.

(o) After completion, the applicant must notify Parramatta City Council within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.

(p) Within 14 days of completion of demolition, the applicant must submit to Council:

  (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and

(q) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.

(r) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

6. Trees to be retained are:

Tree No.	Name	Common Name	Location	Tree Protection Zone (m)
1	Cinnamomum camphora	Camphor laurel	9 Rangihou Cres. Refer to arborist report	3.9m
2	Cinnamomum camphora	Camphor laurel	9 Rangihou Cres. Refer to arborist	5.5m

			report	
3	Eucalyptus microcorys	Tallowwood	Refer to arborist report	10.3m
4	Eucalyptus microcorys	Tallowwood	Refer to arborist report	9.4m
5	Eucalyptus microcorys	Tallowwood	Refer to arborist report	8.3m
6	Eucalyptus microcorys	Tallowwood	Refer to arborist report	8.4m
7	Eucalyptus microcorys	Tallowwood	Refer to arborist report	8.2m
8	Eucalyptus microcorys	Tallowwood	Refer to arborist report	8.4m
9	Eucalyptus microcorys	Tallowwood	Refer to arborist report	7.4m
10	Eucalyptus microcorys	Tallowwood	Refer to arborist report	6.7m
11	Corymbia citriodora	Lemon-scented Gum	Refer to arborist report	7m
12	Corymbia citriodora	Lemon-scented Gum	Refer to arborist report	6.5m
13	Corymbia citriodora	Lemon-scented Gum	Refer to arborist report	2.3m
15	Brachychiton discolor	Lacebark Tree	Refer to arborist report	7.2m
20	Cedrus deodara	Himalayan Cedar	Adjoining property – Refer to arborist report	4.8m
30	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	6m
31	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	3m
32	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	7.8m
33	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	3.8m
34	Cupressus glabra	Arizona Cypress	Adjoining pump station site – Refer to arborist	6.5m

			report	
35	Cupressus glabra	Arizona Cypress	Adjoining pump station site – Refer to arborist report	8.2m
36	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	4.8m
37	Cupressus sempervirens	Pencil Pine	Adjoining pump station site – Refer to arborist report	8.4m
38	Casuarina cunninghamiana	River Oak	Refer to arborist report	8.4m
39	Casuarina cunninghamiana	River Oak	Refer to arborist report	5.5m
40	Casuarina cunninghamiana	River Oak	Refer to arborist report	6m
41	Casuarina cunninghamiana	River Oak	Refer to arborist report	4.6m
42	Casuarina cunninghamiana	River Oak	Refer to arborist report	4.5m
43	Casuarina cunninghamiana	River Oak	Refer to arborist report	5.8m
44	Casuarina cunninghamiana	River Oak	Refer to arborist report	7.2m
45	Casuarina cunninghamiana	River Oak	Refer to arborist report	6.7m
46	Casuarina cunninghamiana	River Oak	Refer to arborist report	7m
47	Casuarina cunninghamiana	River Oak	Refer to arborist report	6m
48	Casuarina cunninghamiana	River Oak	Refer to arborist report	10m

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

7. Tree Removal
Trees to be removed are:

Tree No.	Species	Common Name	Location
14	Cinnamomum camphora	Camphor laurel	Refer to arborist report
16	Eucalyptus nicholii	Narrow-leaved Peppermint	Refer to arborist report
17	Grevillea robusta	Silky Oak	Refer to arborist report

18	Elaeocarpus reticulatus	Blueberry Ash	Refer to arborist report
19	Eucalyptus microcorys	Tallowwood	Refer to arborist report
23-26	Citharexylum spinosum	Fiddlewood	Refer to arborist report
27	Thuja orientalis	Chinese Arborvitae	Refer to arborist report
28-29	Citharexylum spinosum	Fiddlewood	Refer to arborist report

Reason: To facilitate development.

8. Removal of trees by an arborist

All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Draft Tree Work Code of Practice 2007.

Reason: To ensure works are carried out in accordance with the Draft Tree Work Code of Practice 2007.

9. Landscaping Plan

The final Landscape Plan must be consistent landscape plans prepared by Jane Irwin Landscape Architecture. Issue A 22/10/2014 together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:

(a) Replacement of proposed Eucalyptus moluccana within the Morton Street road reserve with Eucalyptus sideroxylon 'Rosea'

(b) Replacement of proposed Eucalyptus tereticornis with Lophostemon confertus

(c) Replacement of proposed Eucalyptus amplifolia with Backhousia citriodora.

(d) All landscape plans are to be prepared by a professionally qualified landscape architect or designer.

Reason: To ensure that appropriate landscaping is implemented.

10. Tree protection as per arborist report

The trees identified for retention shall be protected prior to and during the demolition/construction process in accordance with the documents referenced below;

1. Arborist Report: Prepared by Landscape Matrix. 25 July, 2014
2. Review of Arborist Report: Prepared by Urban Forestry Australia. 23 October, 2014

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

11. Protective fencing

Retained trees or treed areas must be fenced with a 1.8 metre high chainwire link or welded mesh fence. The fence is to be fully supported at grade, to minimise the disturbance of existing ground conditions within the canopy drip line or the setback nominated on the approved landscaping plan. The fencing is to be in place for the duration of the construction works. “Tree Protection Zone” signage must be attached to the protective fencing.
Reason: To protect the environmental amenity of the area.

12. Tree Protection Signage

Prior to works commencing, tree protection signage is to be attached to the fencing of each Tree Protection Zone. It is to be displayed in a prominent position and in locations where the fence changes direction. Each sign must contain the following detail in a clear and legible form:

a) 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 level. Access to this area is restricted; and
c) The name, address, and telephone number of the developer and site Arborist.

Reason: To protect existing trees during the construction phase.

13. Pruning/works on tree(s)

Consent from Council must be obtained prior to any pruning works being undertaken on any tree on site, or any trees located in adjoining properties.
All approved pruning works must be supervised by an Australian Qualifications Framework (AQF) Level 3 certified 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.

14. Tree Protection During Construction

Tree protection measures are to be installed and maintained, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 – “Protection of Trees on Development Sites”.
Reason: To ensure trees are protected during construction.

15. Certifying Auth. Arrange Qualified Landscape Arch. (Multi-unit and above)

A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works must be completed prior to the issue of an Occupation Certificate.
Reason: To ensure restoration of environmental amenity.

Prior to release of the Construction Certificate

16. 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 the issue of a Construction Certificate.

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

17. 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 Certifying Authority. The Geotechnical / Civil engineering report should address (but is not limited to) the following:

    a. The type and extent of substrata formations by the provision of a minimum of 4 representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs shall be related to Australian Height Datum.
    b. The appropriate means of excavation/shoring in light of point (a) above and proximity to adjacent property and structures. Potential vibration caused by the method of excavation and potential settlements affecting nearby footings/foundations shall be discussed and ameliorated.
    c. The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property structures and road reserve if nearby (full support to be provided within the subject site).
    d. The existing groundwater levels in relation to the basement structure, where influenced.
    e. The drawdown effects on adjacent properties (including road reserve), if any, the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater. Where it is considered there is the potential for the development to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path is constructed, artificial drains such as perimeter drains and through drainage may be utilised.

f. Recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program (as required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.

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.

18. All waste storage rooms/areas are to be fully screened from public view and are to be located clear of all landscaped areas, driveways, turning areas, truck standing areas and car parking spaces. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time.
Reason: To maintain the amenity of the area.

19. Design changes

Every level of the northern elevation of Building A shall have identical kitchen window openings. Of these, Level 6 and Level 7 window openings shall consist of fixed obscure/translucent glass, whilst the remainder may consist of clear glass.
Reason: Solar Access

20. Urban Design and DEAP

- With respect to the proposed ground level entries to all buildings, there is to be an additional controlled entry closer to the street that would deal with any potential security issues created by restricted views into the access passage. This could be dealt with via a gate with associated intercom.
- Provision of an exterior lighting package is to be submitted to the PCA prior to the issue of a Construction Certificate.
- The materials palette, especially the metal cladding/ panelling to the soffits of the roof overhang, screens and entrances (copper, bronze and Corten®) must not be downgraded in subsequent iterations.
- The landscape content (both quantity and quality) must be ensured. Any subsequent change must be of an equal or better status.

21. Traffic and Transport Engineering

a. 471 parking spaces (including 1 carshare space and 18 parking spaces on-street on private road) are to be provided in accordance with the approved plans referenced in condition 1 and 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.

b. 178 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-1993. Details are to be illustrated on plans submitted with the construction certificate.
Reason: To comply with Council's parking requirements.

c. Written evidence demonstrating that offers of a car space to carshare providers together with the outcome of the offers or a letter of commitment to the service is to be submitted prior to issue of the construction certificate.
Reason: To comply with Council's carshare (sustainable transport) and parking requirements.

d. 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

e. 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 from Jamieson Street. 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.

During Construction or Works:

f. 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.

g. 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.

Prior to the opening of the Private Road

h. The loading and taxi zones, as shown on the amended DA plans are to be signposted along with the visitor parking spaces. The installation of the parking restrictions (full time restrictions for the loading and taxi zones and part-time restrictions for visitor parking) will need to be referred to the Parramatta Traffic Committee under Delegated Authority and Council for approval. All costs associated with the supply and installation of the appropriate signs is to be paid for by the applicant at no cost to Council. The applicant is to submit an application to Council's Service Manager – Traffic and Transport regarding the on-street parking restrictions within 5 months prior to the opening of the private road, under the provisions of Section 650(7) of the Local Government Act 1993.

The Use of the Site

i. A roller shutter door provided at the driveway entry and exit from Morton Street is to be operated via remote control. If an intercom is installed, it is to be provided at the centre of the driveway on the median island (not attached on the wall) to the carpark in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.
Reason: To comply with Australian Standards.

22. Non-standard – Stormwater

a. OSD Tank detailed design submitted (Plan Nos DA9.03 and 9.04) are not in accordance with Trust handbook – which are to be correctly designed & submitted as per 4th Edition Trust handbook (also provide OSD calculation Excel file).

b. The overflow from OSD Tank was not provided and needs to be incorporated in detail and in correct format as per 4th Edition Trust handbook to facilitate overflow from the OSD Tank without creating any nuisance flooding.

c. The Two Orfice Plates proposed need to be shown in detail and in correct format as per 4th Edition Trust handbook.

d. Provide 900mmx900mm size grates at approximately 5m spacing to allow inspection/maintenance from the surface and preventing any accumulation of noxious odour/gas inside the OSD Tank.

e. The proposed location of Stormceptor Device is unacceptable as it would interfere and worsen the OSD hydraulic/discharge performance. The Stormceptor Device needs to be located upstream of the OSD Tank where it is needed most for site stormwater treatment purposes.

23. Non-standard – Arts

a. 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.

b. 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.

c. 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.

- needs to be much more specific in terms of themes and storylines
- needs to focus on the stories suggested in the interpretation plan that are relevant to the specific location
- investigate other meaningful and engaging ways to present the stories. Some of the suggestions in the Arts Plan will need to be reconsidered to effectively tell the relevant stories in a way that compliments the proposed developments, directly relates to the locations and above all is meaningful.

24. Non-standard – Heritage

As a matter of precaution, should any potentially significant Aboriginal archaeology material be discovered, works should stop and NSW OEH should be contacted for advice.

Regarding European archaeological matters, it is recommended that applicants should apply to NSW OEH for a permit for disturbance of grounds under the Heritage Act.

25. Non-standard – Sydney Water

- A number of development proposals are currently proceeding within the catchment draining to SPS 101. The augmentation of the SPS will be required to service this development proposal and any future development within this catchment.
- To determine the scope of the SPS augmentation, detailed wastewater planning will be required. It is recommended that the developer liaises with Sydney Water as soon as possible to initiate the investigation. This will mitigate any potential delay in the provision of wastewater services to the proposed development.
- Wastewater servicing requirements at the Section 73 application phase will be based on the completion of the detailed planning.

The documentation detailing the above must be submitted to the PCA prior to the issue of a Construction Certificate.

26. Non-standard – Roads and Maritime Services

Agency conditions as follows:

a. The layout of the proposed driveways should be in accordance with AS2890.1-2004 and AS2890.2-2002.
b. The swept path of the longest vehicle (including garbage trucks) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADs. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.
c. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council prior to the issue of construction certificate.

27. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Work Cover NSW and the EPA, and with the provisions of:
    (a) Work Health and Safety Act 2011
    (b) NSW Protection Of the Environment Operations Act 1997 (NSW) and
    (c) NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

    Reason: To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner.

28. 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 shall 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.

29. All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

(a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
(b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines

Reason: To ensure imported fill is of an acceptable standard.

30. A sign displaying the contact details of the remediation shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.

Reason: To provide contact details for council inspectors and for the public to report any incidents.

31. 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.

32. Groundwater shall be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant NSW EPA water quality standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

Other options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason: To ensure that contaminated groundwater does not impact upon waterways.

33. All remediation works shall be carried out in accordance with clauses 17 and 18 of State Environmental Planning Policy 55 - Remediation of Land.
Reason: To comply with the statutory requirements of State Environmental Planning Policy 55.

34. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.
Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

35. 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.

36. Underground tanks shall be decommissioned and removed in accordance with:
(a) Australian Institute of Petroleum (AIP) Code of Practice for the Removal and Disposal of Underground Petroleum Storage Tanks (ref. AIP CP22).
(b) Australian Standard AS 1940: 2004 AS 1940:2004 The Storage and Handing of Flammable and Combustible Liquids.
(c) Work Cover NSW Code of Practice for the Storage and Handling of Dangerous Goods
(d) NSW Department of Environment and Climate Change: Environmental Guidelines: Assessment, Classification and Management of Liquid and Non Liquid Wastes
Reason: To ensure the safe removal of underground storage tanks.

37. A covenant shall be registered on the title of the land and a copy of the title submitted to Council and the principal certifying authority prior to the issue of an occupation certificate, giving notice of the former use and contamination of the site and the existence of the encapsulated cells containing contaminated material.
Reason: To ensure that the encapsulated cell is not breached and to prevent the future occurrence of a health hazard and the spread of contamination.

38. A covenant shall be registered on the title of the land binding the owners and future owners to be responsible for ongoing maintenance and any future rehabilitation works required in terms of the encapsulated materials, including

the discharge or prevention of discharge there from of any contaminants or for any works required by the Environment Protection Authority.

Reason: To ensure that the encapsulated cell is not breached and to prevent the future occurrence of a health hazard and the spread of contamination.

39. The remediation of the site shall be in accordance with the Remedial Action Plan prepared by Martens Consulting Engineering and dated 22 July 2014.

A site audit statement shall 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.

40. An Alignment Plan in accordance with Parramatta City Council's Public Domain Guidelines is to be submitted to the satisfaction of Council's Civil Assets Team before the issue of a Construction Certificate. The Alignment Plan shall incorporate the following:
(a) improvements to the levels along the Morton Street frontage to ensure that footpath grades do not exceed 2.5%
(b) the footpath upgrade works along the Morton Street frontage should not be disturbed during the development construction
Reason: To protect the public domain.

41. A Public Domain Plan in accordance with Parramatta City Council's Public Domain Guidelines is to be submitted to the written satisfaction of Council's Urban Design Team before the issue of a Construction Certificate. This plan will be informed by the Alignment Plan and is to identify paving layout, paving materials, tree pits and Council's recommended tree type, kerb ramps and TGSIs, and the driveway layout and materials. The plan shall include the following:
(a) construction of a matching footpath (as per the Public Domain Guidelines) along the entire Morton Street frontage.
(b) the provision of street trees as per the Street Tree Master Plan and Public Domain Guidelines; to comply with DS39.
Reason: To improve the public domain and confirm the final details of the proposed design.

42. An acid-sulphate soils management strategy (prepared by a suitably qualified and experienced environmental/geotechnical consultant) must be submitted to the Principal Certifying Authority, prior to the issue of the Construction Certificate. This strategy is required to recommend specific procedures and mitigation measures and must include a site analysis from a National Association of Testing Authorities (NATA) registered laboratory. This strategy must address the following aspects:
(a) Specific mitigating measures to minimise the disturbance of acid sulphate soils as well as measures relating to acid generation and acid neutralisation of the soil;

(b) Management and disposal of the excavated material;
(c) Measures taken to neutralise the acidity; and
(d) Run-off control measures.
(e) The recommendations of the strategy must be completed prior to the commencement of building works.

Reason: To protect the development from the harmful effects of acid-sulphate soils.

43. The preparation of an appropriate hazard management strategy by an appropriately licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure that any such proposed demolition works involving asbestos are carried out in accordance with the requirements of the 'Code of Practice: How to Safely Remove Asbestos' published by WorkCover NSW. 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.

44. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing No. DS9 & DS10. Any existing disused crossings shall be removed and constructed with kerb and gutter. Details must accompany an application for a Construction Certificate to the satisfaction of Certifying Authority. A vehicular crossing application must be submitted to Council together with the appropriate fee as outlined in Council's adopted Fees and Charges, prior to any work commencing.

Reason: To ensure appropriate vehicular access is provided.

45. Any exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1. Details demonstrating compliance are to be provided with the Construction Certificate.

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

46. The following requirements (from points i to iv) shall be complied with and Certifying Authority shall ensure that prior to the issue of Construction Certificate, following conditions are fully complied and incorporated within All Final Design Drawings of this development prior to CC being issued for construction;

i. The minimum habitable floor level for the development shall be 5.66mAHD.
ii. The minimum basement car park entry ramp Crest level shall be at RL5.66 and RL8.66 for Block E and Block A respectively.
iii. The proposed building and any structures will need to be designed to withstand the forces of floodwater & debris and buoyancy forces up to

level of 9.50mAHD. The structures will need to be designed & certified by an experienced practicing Structural Engineer.

iv. All structural building components shall have flood compatible building components up to level of 9.50mAHD and a certification shall be required outlining that all lots building components used for constructions are designed with flood compatible materials.

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

(a) A holding tank capable of storing the run-off from a 100 year ARI - 2 hour duration storm event allowing for pump failure.

(b) Two pump system (on alternate basis) capable of emptying the holding tank at a rate equal to the lower of:

a. The permissible site discharge (PSD) rate; or
b. The rate of inflow for the one hour, 5 year ARI storm event.

(c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.

(d) A 100 mm freeboard to all parking spaces.

(e) Submission of full hydraulic details and pump manufacturers specifications.

(f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

Plans and design calculations along with certification from the Hydraulic designer indicating that the design complies with the above requirements are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason: To ensure satisfactory storm water disposal.

48. No construction works shall start on the Water Sensitive Urban Design (WSUD) measures a) Drainage Swales and b) Bioretention systems shown on the following plans have been approved by the Certifying Authority. Detail designs of above WSUD measures/systems shall be designed as per Brisbane City Council's WSUD Engineering Guidelines and be included within FINAL stormwater drainage plans submitted to the Certifying Authority and as per satisfaction of Council for approval prior to the issue of the Construction Certificate and a copy of approved WSUD detailed design plan needs to be submitted to Council's Senior Catchment & Development Engineer for record. Prior to the approval of WSUD measures plans, the person issuing the Construction Certificate shall ensure that:

i. The final WSUD Plans are, in general, consistent with Landscaping Plans Prepared by Jane Irwin Landscape Architecture, Issue A, dated: 22/10/2014 and marked up CONCEPT WSUD PLAN DAWINGS

(DA6.01, Revision 8 – Concept Stormwater Management Plan Sheet 1, DA6.02, Revision 7 – Concept Stormwater Management Plan Sheet 2, DA7.01, Revision 5 – Site works Plan Sheet 1, prepared by Northrop Engineers).

Note 1: The Council approved WSUD measure on the above Stormwater Plans are **for DA approval in concept only** and shall not be used for construction purposes as the construction plans (drawings).

Reason: To ensure the WSUD measures are implemented within the development.

49. It is essential for the development that an additional measure in terms of a flood proof gate shall be installed at the basement ramp entrance crest levels nominated as per Condition 9 (ii) of this Consent for Block A & Block E. The purpose of this flood proof gate shall be to address impact measures from flooding events reaching towards PMF event which will potentially fill basement car park with flood water. In addition, detail design of flood proof gate and maintenance plan shall be submitted to the satisfaction and subsequent approval by i) Certifying Authority and ii) Council's Development Assessment Services, prior to issue of the Construction Certificate and the Final approved copy of Flood Proof Gate Detailed Design & Maintenance Plan shall be submitted to Council for compliance and record purposes.

Reason: To ensure satisfactory measures in place for the basement car park from being filled with floodwater & Prevent Damage to properties during storm events leading to Probable Maximum Event (PMF) event inundation.

50. Due to the close proximity of the existing Parramatta River and the flood affected surrounding areas, the perimeter walls of the basement shall be constructed using "Tank Construction" method, to prevent any flood waters seeping through the basement walls. In terms of the potential ground water inflows within the basement areas, and to manage any on going seepages, adequate provision shall be made for dewatering the basement floors. However, any such provision shall be based on the Geotechnical and Hydrological Assessment Report and the associated recommendations. Appropriate drainage points shall be constructed along the perimeter cut-off walls to direct seepages into a collection point for pumping out. Details of the dewatering system shall be included with the final drainage plans submitted to the Certifying Authority, with the Construction Certificate application.

Reason: To ensure the basement is protected from any flood water seepages and adequate dewatering system is in place to manage any ongoing ground water seepages at the basement floors.

51. Prior to the issue of a Construction Certificate, longitudinal driveways sections and Ramp Access from to and from the Basement levels are to be prepared as per AS 2890.1 (2004) by a qualified civil/traffic engineer and be submitted for to and approved by the Certifying Authority. These profiles are to be at 1:100 scales along both edges of the proposed driveway, starting from the centreline of the frontage street carriageway to the proposed basement floor

level and also similar sections for Ramp Access from Basement to Basement levels. The Civil/Traffic Engineer shall provide specific written certification to the Certifying Authority on the prepared longitudinal driveways sectional plans that the following five requirements are entirely complied with:

a. Vehicular access can be obtained using grades of 20% (1 in 5) maximum and
b. All RAMP CIRCULATION & GRADES and changes in grade (transitions) are to be complied with Clause 2.5 and 3.3 of Australian Standard 2890.1 (2004) – "Off-street car parking" **to prevent bottoming or scraping** of the underside of vehicles.
c. The grade of the driveway is NOT more than **5%** at the nature strip from the kerb & gutter up to the property line and that driveway surface matches the level of the outer edge of the existing footpath level crossing (intersection).
d. The grade of the driveway is NOT more than max **5%** for at least the first **6m** from the property line into the car park. Grade Transitions with transition length of at least 2m are provided where the grade change is **12.5%** or more for the Summit grade change and **15%** or more for the Sag grade change.
e. The access driveway for at least first **6m** from the property boundary to the car park shall have a minimum width of **5.5m** in accordance with AS 2890.1-2004.

Note: The driveway should slope upward from kerb & gutter to the front property line with surface level at the property line at the highest level, at least **150mm** above the top water level of the stormwater flowing down the along the adjacent kerb & gutter, before it slopes down towards the car park, to avoid the street runoff spilling into the property through the driveway.

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

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

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

53. The driveway / access way within the property shall be designed and constructed to match the surface levels with that of existing concrete footpath at the property boundary and that joints are smooth, and no part of the concrete protrudes out.

Reason: To provide suitable vehicle access and smooth junction.

54. 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

55. **On- Site Detention**

No construction works shall start on the stormwater system until the detailed FINAL storm water plans have been approved by the Certifying Authority. Prior to the approval of stormwater drainage plans, the person issuing the Construction Certificate shall ensure that:

i. The final stormwater plans are, in general, consistent with Concept Stormwater Plan Drawings (DA6.01, Revision 8 – Concept Stormwater Management Plan Sheet 1, DA6.02, Revision 7 – Concept Stormwater Management Plan Sheet 2, DA7.01, Revision 5 – Siteworks Plan Sheet 1, DA9.03, Revision 6 - OSD Details Sheet 1, DA9.04, Revision 6 - OSD Details Sheet 2, prepared by Northrop Engineers).
Note 1: The Council approved Stormwater Plans are **for DA approval in concept only** and shall not be used for construction purposes as the construction plan (drawing).

ii. The proposed On-Site Detention (OSD) System has been designed and certified by a suitably qualified Hydraulic Engineer, in accordance with the Upper Parramatta River Catchment Trust "On-Site Detention Handbook – 4th Edition".

iii. The design achieves, when using the Extended and Flood detention method (4th edition of Upper Parramatta River Catchment Trust's (UPRCT's), handbook), as shown on the approved stormwater plan.

iv. Detailed Stormwater plans with cross sectional details of OSD storage areas; pits etc., OSD Detailed Design Submission (**Form B9**) and OSD Detailed Calculation Summary Sheets are submitted and are acceptable.

v. A calculation table showing the available storage volume with the pyramid volume and prismatic volume calculation method has been provided.

vi. The proposed Invert of Emergency Outflow pipe from the secondary control pit shall be located at least RL 6.80mAHD in order to maintain Flood Detention volume with the OSD Tank.

vii. Changes and/or alterations to the approved design are not permitted. Any changes, other than that are of minor nature (such as minor relocation of pits and pipes), or the changes that affect the landscaping require prior approval from the council.

viii. All Grates proposed for the OSD Tanks shall be 900mmX900mm and other sized will not be accepted by Council. Adequate access is provided to the storage basin for cleaning.

ix. At least 20% of the OSD tanks' surface area would be required to be grated at a maximum of 4m spacing generally in order for the Tanks can be readily inspected from the surface for silt and debris and the tanks are well ventilated and will not cause the accumulation of noxious odours.

x. When applicable, OSD tank shall have clear headroom of 2.2m available for the basement car park underneath those tanks.

It is the responsibility of the Certifying Authority and/or the person issuing the Construction Certificate to ensure that the detailed plans all in accordance with the Council approved stormwater plan and shall be prepared by a NPER Qualified Practicing Drainage Engineer.

Upon completion of the construction of stormwater system the Certifying Authority shall ensure that upon completion of the construction works, the stormwater system have been inspected and certified by a NPER Qualified Practicing Drainage Engineer to the satisfaction of the principal certifying authority. A copy of the certificate shall be forwarded to council for its record.

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

56. The OSD tank structures shall be designed and certified by a Certified Practicing Structural Engineer, taking into account of the structural loads from the above, Vehicular loading and any other surrounding areas/structures, which exert load on the tank structures. The Certifying Authority shall ensure that the designer has taken account of all loads influencing the tank structures, duly certified and provided the structural design certificate.

Upon completion of construction, the work shall be certified by a Certified Practicing Engineer to the satisfaction of the Certifying Authority. The Certifying Authority shall ensure that the construction works are duly certified by a practicing certified Engineer upon completion of the works.

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

57. 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.

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

The engineer shall:

a. provide an acceptance in writing to supervise sufficient of the works to ensure compliance with:
    i. all relevant statutory requirements,
    ii. all relevant conditions of development consent

iii. construction requirements detailed in the above Specification, and
iv. the requirements of all legislation relating to environmental protection,

b. On completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval and,

c. Certify that the Works as Executed plans are true and correct record of what has been built.

59. Residential building work, within the meaning of the Home Building Act 1989, must not be carried out unless the Certifying Authority for the development to which the work relates fulfils the following:

(a) In the case of work to be done by a licensee under the Home Building Act 1989; has been informed in writing of the licensee's name and contractor licence number; and is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989, or

(b) In the case of work to be done by any other person; has been informed in writing of the person's name and owner-builder permit number; or has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purpose of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

Reason: To comply with the Home Building Act 1989.

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

Reason: To ensure that the levy is paid.

61. An acid-sulphate soils management strategy (prepared by a suitably qualified and experienced environmental/geotechnical consultant) must be submitted to the Principal Certifying Authority, prior to the issue of the Construction Certificate. This strategy is required to recommend specific procedures and mitigation measures and must include a site analysis from a National Association of Testing Authorities (NATA) registered laboratory. This strategy must address the following aspects:

(f) Specific mitigating measures to minimise the disturbance of acid sulphate soils as well as measures relating to acid generation and acid neutralisation of the soil;

(g) Management and disposal of the excavated material;

(h) Measures taken to neutralise the acidity; and

(i) Run-off control measures.

(j) The recommendations of the strategy must be completed prior to the commencement of building works.

Reason: To protect the development from the harmful effects of acid-sulphate soils.

62. A monetary contribution comprising $799,260 is payable to Parramatta City Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta Section 94A Development Contributions Plan (Amendment No. 3). Payment must be by EFTPOS, bank cheque or credit card only.

The contribution is to be paid to Council prior to the issue of a construction certificate.

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

Parramatta Section 94A Development Contributions Plan (Amendment No. 2) can be viewed on Council's website at:
http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions

Reason: To comply with legislative requirements.

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

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

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

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

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

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

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

65. Service ducts, plumbing installations and plant servicing the development must be concealed within the building to keep external walls free from service installations. Details are to be included within the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure the quality built form of the development.

66. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed on each building to service the development. A connection is to be provided internally to each dwelling/unit within the development.

Details of these connections are to be annotated on the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To protect the visual amenity of the area.

67. Design Verification issued by a registered architect is to be provided with the application for a Construction Certificate detailing the construction drawings and specifications are consistent with the design quality principles in State Environmental Planning Policy No-65. Design Quality of Residential Flat Development.

Note: Qualified designer in this condition is as per the definition in SEPP 65.

Reason: To comply with the requirements of SEPP 65.

68. A noise management plan must be prepared in accordance with the NSW Department of Environment, Climate Change and Water 'Interim Noise Construction Guidelines 2009' and accompany the application for a Construction Certificate. The Certifying Authority must be satisfied the Construction Noise Management Plan will minimise noise impacts on the community during the construction of the development.

The Construction Noise Management Plan must include:

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

Reason: To prevent loss of amenity to the area.

69. Documentary evidence to the satisfaction of the Certifying Authority is to accompany the application for a Construction Certificate confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.

If a substation is required of the energy provider, it must be located internally within a building/s.

Substations are not permitted within the front setback of the site or within the street elevation of the building; unless such a location has been outlined and approved on the Council stamped Development Application plans. Substations are not permitted within Council's road reserve.

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

70. The development must incorporate 37 adaptable dwellings. Plans submitted with the construction certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.
Reason: To ensure the required adaptable dwellings are appropriate designed.

71. Column locations are to be installed in accordance with Clause 5 and Figures 5.1 and 5.2 of AS 2890.1-2004.
Reason: To comply with Australian Standards.

Prior to Release of Subdivision Certificate

72. A separate application must be made for a subdivision certificate to facilitate the dedication of land to Parramatta Council for open space and road purposes.
Reason: To comply with the requirements of the Environmental Planning and Assessment Act 1979 (as amended).

Prior to the Commencement of Works

73. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:
(a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
(b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.
The Principal Certifying Authority must determine and advise the person having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.
Reason: To comply with legislative requirements.

74. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.
Reason: To ensure public safety.

75. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 detailing:
(a) Unauthorised entry of the work site is prohibited;
(b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and

(c) The name, address and telephone number of the Principal Certifying Authority;
(d) The development consent approved construction hours;

The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.

This condition does not apply where works are being carried.
Reason: Statutory requirement.

76. Public risk insurance in the amount of not less than $20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:
(a) Above;
(b) Below; or
(c) On

Any public land owned or controlled by Council. The public risk insurance must be maintained for the period during which these works re being undertaken.

The public risk insurance must be satisfactory to Council and list Council as an insured and/or interested party.

A copy of the insurance policy obtained must be forwarded to Council before any of the works commence.
Note: Applications for hoarding permits, vehicular crossing etc. will require evidence of insurance upon lodgement of the application.
Reason: To ensure the community is protected from the cost of any claim for damages arising from works authorised by this consent conducted above, below or on any public land owned or controlled by Council.

77. Prior to the commencement of work, the a registered surveyor is to undertake a set out survey to identify the location of all footings, slabs, posts and walls adjacent to a boundary This is to ensure the development when complete, will be constructed wholly within the confines of the subject allotment. This set out survey showing the location of the development relative to the boundaries of the site, is to be forwarded to the Principal Certifying Authority prior to pouring of any footings or slabs and/or the construction of any walls/posts.
Reason: To ensure that the building is erected in accordance with the approval granted and within the boundaries of the site.

78. 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.

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

(a) Construction Management Plan for the Site
A plan view of the entire site and frontage roadways indicating:

i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
ii. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
iii. The locations of proposed Work Zones in the egress frontage roadways,
iv. Location of any proposed crane standing areas,
v. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
vi. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
vii. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
viii. A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
ix. A detailed description of locations that will be used for layover for trucks waiting to access the construction site.

(b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Works Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

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

i. All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication *'Traffic Control Worksite Manual'* and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,

ii. Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.

(d) Where applicable, the plan must address the following:

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

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

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

80. If the proposed excavation associated with the erection or demolition of a building extend below the level of the base of the footings of a building on an adjoining allotment of land; the person causing the excavation to be made; must preserve and protect the building from damage; and if necessary, must underpin and support the building in an approved manner. At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished and submit to the Principal Certifying Authority details of the date and manner by which the adjoining owner(s) were advised.

Reason: To control excavation procedures.

81. 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.

During Construction

82. Any fill material imported to the site is to be virgin excavated natural material (VENM) and is to be certified as such by a suitably qualified industry professional. Records of each individual certification are to be kept on site and produced for inspection when requested.
Reason: To ensure the site does not become contaminated and appropriate compaction levels can be achieved.

83. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-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.

84. All friable and non-friable asbestos-containing waste on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2005 and the EPA publication 'Waste Classification Guidelines - 2008' and any other regulatory instrument as amended.
Reason: To ensure appropriate disposal of asbestos materials.

85. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.
Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.

86. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.
Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

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

88. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Council's Guidelines for Controlling Dust from

Construction Sites and Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

89. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the construction, excavation or demolition shall be stored or placed on/in Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the Roads Act 1993.

Reason: To ensure pedestrian access.

90. All work (excluding demolition which has separate days and hours outlined below) including building, and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools, machinery 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.

Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.

91. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:
    (a) The date and time of the complaint;
    (b) The means by which the complaint was made;
    (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that affect;
    (d) Nature of the complaints;
    (e) Any action(s) taken by the applicant in relation to the compliant, including any follow up contact with the complainant; and
    (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register must be made available to Council and/or the principal certifying authority upon request.

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

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

Vibration levels resulting from demolition and excavation activities must not exceed 5mm/sec peal particle velocity (PPV) when measured at the footing of any nearby building.

Reason: To protect the amenity of the area.

93. A survey certificate is to be submitted to the Principal certifying Authority at footing and/or formwork stage. The certificate must indicate the location of the building in relation to all boundaries, and must confirm the floor level is consistent with that approved under this consent prior to any further work proceeding on the building.
Reason: To ensure the development is being built as per the approved plans.

94. 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.

95. 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.

96. 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.

97. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

Reason: To ensure that building materials are not washed into stormwater drains.

98. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and ANZECC standards for water quality.

Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.
Reason: To prevent pollution of waterways.

99. 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.

100. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.
Reason: To ensure provision of adequate waste disposal arrangements.

101. 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.

Prior to issue of an Occupation Certificate

102. A detailed **Site Emergency Flood Response Plan** prepared & submitted for Council approval, in particular reference to this development incorporating the following:

a) Site based Flood Warning Systems (not limited to adequate sensible warning systems, signage, exits, evacuation routes, flood preparedness plan for ‘flash flood’ regime etc) to be established for the residents and occupiers of the dwellings in order for being fully

informed and aware of the flood information and being prepared for any impending flood event.

b) Effective evacuation frameworks, procedures and final plan shall be prepared as per Council Floodplain Matrix 'Evacuation' Controls which essentially do not support any reliance on SES & other government agencies aid during the site flood emergency situation and the responsible person for each of the buildings for implementation of the evacuation plan.

c) If "shelter in place" is proposed then Specific vertical evacuation flood refuges Paths and Floor Space Locations at or above PMF level of 9.50mAHD will be required in the building due to not having entire reliance on lift operation during higher flooding event scenario.

Reason: To ensure an effective site flood emergency response management plan in place.

103. Prior to the issue of the occupation certificate, a convex mirror is to be installed within the ramp access (one near the entry driveway & one at the bottom of the ramp access) with its height and location adjusted to allow an exiting driver a full view of the driveway in order to see if another vehicle is coming through.
Reason: **To ensure safety of drivers.**

104. Prior to the issue of the final occupation certificate the PCA shall ascertain that the approved Torrens title subdivision has been registered with NSW Department of Lands.
Reason: To confirm the details of this application.

105. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 109H of the Environmental Planning and Assessment Act 1979.
Reason: To complying with legislative requirements of the Environmental Planning and Assessment Act 1979.

106. An application for street numbering must be lodged with Council for approval, prior to the issue of an Occupation Certificate or Subdivision Certificate whichever occurs first.
Note: Notification of all relevant authorities of the approved street numbers must be carried out by Council.
Reason: To ensure all properties have clearly identified street numbering, particularly for safety and emergency situations.

107. A street number is to be placed on the site in a readily visible location from a public place prior to the issue of an Occupation Certificate. The numbers are to have a minimum height of 75mm.
Reason: To ensure a visible house number is provided.

108. 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. No. 560579M_03, will be complied with prior to occupation

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

109. Submission of documentation confirming satisfactory arrangements have been made for the provision of electricity services from an approved electrical energy provider prior to the issue of an Occupation Certificate.

Reason: To ensure appropriate electricity services are provided.

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

(a) Council's Development Application number; and
(b) 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.

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

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

111. Design Verification issued by a registered architect is to be provided with the application for a Occupation Certificate verifying that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development.

Note: Qualified designer in this condition is as per the definition in SEPP 65.

Reason: To comply with the requirements of SEPP 65.

112. Certification must be provided prior to the issue of an occupation certificate that the required adaptable dwelling(s) have achieved a class C design in accordance with the requirements of AS 4299 -1995.

Reason: To ensure the requirements of DCP 2011 have been met.

113. 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 and or infrastructure.

The report is to be submitted to the PCA prior to the issue of the occupation certificate. In ascertaining whether adverse structural damage has occurred to adjoining buildings/ infrastructure, the PCA must compare the post-construction dilapidation report with the pre-construction dilapidation report, and

A copy of this report is to be forwarded to Council.
Reason: To establish any damage caused as a result of the building works.

114. All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with Council's Standard Plan No. SD004. The reinstatement must be completed prior to the issue of an Occupation Certificate. All costs must be borne by the applicant.
Reason: To provide satisfactory drainage.

115. Works-As-Executed stormwater plans are to address the following:
(a) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
(b) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
(c) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table
(d) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
(e) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
(f) Approved verses installed Drainage Design (OSD) Calculation Sheet.
The above is to be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate and a copy is to accompany the Occupation Certificate when lodged with Council.
Reason: To ensure works comply with approved plans and adequate information is available for Council to update the Upper Parramatta River Catchment Trust.

116. Prior to the issue of an Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, 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 Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" to Council's satisfaction.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through via an application to the Land Titles Office using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the On-Site Detention facility, including its relationship to the building footprint.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior
Reason: To ensure maintenance of on-site detention facilities.

117. A Section 73 Certificate must be obtained prior to the issue of any Occupation Certificate. The 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.

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

118. An application for street numbering must be lodged with Council for approval, prior to the issue of an Occupation Certificate or Subdivision Certificate whichever occurs first.

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

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

119. Prior to the issue of any Occupation Certificate, an application is required to be obtained from Council for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment.

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 be accompanied by detailed plans showing, grades/levels and specifications that demonstrate compliance with Council’s standards, without conflict with all internal finished surface levels. The detailed plan must be submitted to Council’s Civil Assets Team for approval prior to commencement of the driveway crossing works. 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: Pedestrian and Vehicle safety.

120. Traffic facilities to be installed, such as; wheel stops, bollards, kerbs, signposting, pavement markings, lighting and speed humps, shall comply with AS 2890.1-2004.

Reason: To comply with Australian Standards.

121. The minimum available headroom clearance to be signposted at all entrances is to be 2.2m (for cars and light vans including all travel paths to and from parking spaces) and 2.5m (for parking spaces for people with disabilities) measured to the lowest projection of the roof (fire sprinkler, lighting, sign, and ventilation), according to AS 2890.1-2004 and 2890.6-2009.

Reason: To comply with Australian Standards.

122. The underground basement pump holding structure shall be designed and certified by a Certified Practicing Structural Engineer, taking into account of the any structural loads from the above and surrounding areas/structures, which exert load on the tank structures. The Certifying Authority shall ensure that the designer has taken account of all loads influencing the tank structures, duly certified and provided the structural design certificate.

Upon completion of construction, the work shall be certified by a Certified Practicing Engineer to the satisfaction of the Certifying Authority. The principal certifying authority shall ensure that the construction works are duly certified by a practicing certified Engineer upon completion of the works.

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

Use of Site

123. All landscape works shall be maintained for a minimum period of two (2) years following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions

Reason: To ensure restoration of environmental amenity.

124. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

Reason: To ensure the removal of graffiti.