



Parramatta City Council

File No: DA/738/2014

S79C ASSESSMENT REPORT

Environmental Planning & Assessment Act 1979

SUMMARY

DA No:	DA/738/2014
Property:	LOT 1 DP 521574, Lots 6 and 7 DP 110142, Lot W X & Y DP 164926, Lot 1 DP 156559, Lot 1 DP 744571, LOT 1 DP 745652, Lot 1 DP 1009146, Pt1 DP 195784 and Lot 1 DP996285 and numbers 10, 16, 18, 24, 26, 28, 30, 32, 38, 42 East Street, GRANVILLE NSW 2142
Proposal:	Demolition of existing buildings and staged construction of a three tower mixed use development containing one nineteen storey and two seventeen storey mixed use buildings with 463 residential units over five levels of basement car parking. The application will be determined by the Sydney West Joint Regional Planning Panel (JRPP).
Date of receipt:	31 October 2014
Applicant:	DPG Project 6 Pty Ltd
Owners:	Mr M Li (10 , 24 East Street) Mr G W Newman (16 East Street) Z & H Holdings Pty Ltd (18 East Street) Mr R W Smith , Mrs BK Smith, Mr GL Smith (26 East Street) Mr DD Cin (28 East Street) Good Sight Co Ltd (30 East Street) Mr DR Tunstall and Mr JWW Carter(32 East Street) St Vincent De Paul Society (38-42 East Street)
Is the property known to be owned by a Council employee or Councillor?	No
Political donations/gifts disclosed:	None disclosed on the application form
Submissions received:	Three

Recommendation: Approval subject to conditions

Report author: Sasi Kumar

Legislative requirements

Zoning:	B4 Mixed Use under Parramatta LEP 2011
Additional Legislation	None
Other relevant Environmental Planning Instruments (EPIs)	BASIX SEPP, Infrastructure SEPP, Sydney Harbour Catchment SREP, SEPP 33, SEPP 55, SEPP 65 and Residential Flat Design Code
PCC Planning Controls & Policy	Section 94A Contributions Plan, Parramatta Development Control Plan 2011, Policy for the handling of unclear, insufficient and amended development applications
Heritage item?	No
Heritage Conservation Area?	No
Nearby item or Cons. area?	Yes (19 and 21-23 East Street)
Archaeological heritage?	No
Integrated development	No
Designated development	No
Crown development	No
Delegation	Sydney West JRPP
Relevant site history	None relevant to this style of development.
DA history	
31 October 2014	Application lodged.
4 November 2014	Additional information sought from the applicant including; <ul style="list-style-type: none"> 1) Owner's consent 2) Railcorp referral requirements 3) Survey plan 4) Floor to ceiling height details 5) Social impact assessment report 6) Alignment plans 7) Acid sulphate soil assessment 8) Drainage and engineering requirements 9) Revised waste management plan – demolition and construction phases
10 November 2014	Council Heritage Advisor's comments provided.

12 November to 3 December 2014	Application advertised and notified.
24 November 2014	Response received from Endeavour Energy and Sydney Water Corporation.
3 December 2014	Response received from Roads and Maritime Services.
3 December 2014	Design Excellence Advisory Panel Meeting
12 December 2014	Recommendations of DEAP forwarded to applicant.
22 January 2015	JRPP briefing held.
15 April 2015	Additional information including social impact assessment report, waste management plan submitted.
29 April 2015	Social impact assessment comments received.
7 May 2015	Environmental waste comments received.
16 June 2015	Arts plan comments received.
22 June 2015	Senior Officers Review Team discusses building height variations.
3 July 2015	Sydney Trains concurrence received.
30 July 2015	Additional landscaping information sought by Development Engineer.
12 August 2015	Amended architectural plans, elevations and landscape plans submitted.
19 August 2015	Meeting held between the applicant, architect, the planning consultant and Council staff.
25 August 2015	Amended architectural plans, modified QS report submitted.
26 August 2015	Amended Alignment plans submitted.
28 August 2015	Internal legal advice sought on methods to retain pocket garden and laneway.
31 August 2015	Urban Design comments on alignment plans received.
7 September 2015	Traffic Engineer's recommendations received.

SECTION 79C EVALUATION

PERMISSIBILITY

The proposal is for a mixed use development with staged construction comprising a total of 6 commercial tenancies on the ground floor of three blocks with Block A containing 19 storeys, Block B and C with 17 storeys and associated architectural roof features over five basement levels with 615 car parking spaces. The site is zoned B4 Mixed Use under Parramatta Local Environmental Plan 2011. The proposed works are permissible with consent.

PROPOSAL IN DETAIL

1. Demolition of 11 existing single storey and two storey industrial buildings on the subject lots mentioned below.

2. Consolidation of 12 lots (LOT 1 DP 521574, Lots 6 and 7 DP 110142, Lot W X & Y DP 164926, Lot 1 DP 156559, Lot 1 DP 744571, LOT 1 DP 745652, Lot 1 DP 1009146, Pt1 DP 195784 and Lot 1 DP996285) into one lot.
3. Construction of one 19 storey and two 17 storey mixed use buildings consisting of;

Block A (19 storeys)

- 216 residential units.
- 2 commercial tenancies.
- 4 Commercial parking spaces
- 219 resident parking spaces with 22 accessible spaces
- 55 visitor parking spaces with 2 accessible parking spaces and 1 car share space
- Bin collection and turning bay
- 8 motorcycle parking spaces
- 112 Bicycle spaces.
- Common open space to the rear and to the roof top.
- Architectural roof feature.

The proposed apartment mix is as follows;

58 x 1 bedroom units

144 x 2 bedroom units

14 x 3 bedroom units

26 adaptable units (Levels 1-3, levels 15, 16, 17 and 18)

Block B (17 Storeys)

- 156 residential units
- 2 commercial units
- 5 commercial parking spaces
- 176 resident parking spaces with 14 accessible spaces
- 44 visitor parking spaces with 1 accessible parking spaces and 1 car share space
- Bin collection and turning bay
- 11 motorcycle parking spaces
- 118 bicycle spaces
- Common open space to the rear and roof top.
- Architectural roof feature.

The housing mix is as follows;

25 x 1 bedroom units

122 x 2 bedroom units

9 x 3 bedroom units

12 adaptable units - Levels 5-16 (one each)

Block C (17 storeys)

- 91 Residential units
- 2 commercial tenancies
- 5 Commercial parking spaces
- 99 resident parking spaces with 13 accessible spaces
- 25 visitor parking spaces with 1 accessible parking spaces and 1 car share space and 1 shared car wash bay
- Bin collection and turning bay
- 5 motorcycle parking spaces
- 28 bicycle spaces
- Common open space to the rear and roof top.
- Architectural roof feature.

The housing mix is as follows;

29 x 1 bedroom units

52 x 2 bedroom units

10 x 3 bedroom units

11 adaptable units (Levels 5 to 14 (one each))

4. A pocket park between Blocks B and C (150m²) and provision of a 3.29m wide proposed future pedestrian access to Granville Station. The pocket park is to be dedicated to Council “free of cost” and the proposed laneway as a right of carriageway as a Stratum subdivision.

Stratum subdivision is not proposed as part of this application but will be required in part to facilitate the transfer of land to the Council.

It is noted that no details of the proposed uses of the ground floor retail tenancies have been confirmed/ provided.

The Exempt and Complying SEPP (2008) exempts some commercial/ retail uses from having to obtain Council approval as the first occupants of a tenancy. In the event that the use of the ground floor retail premises is to be used for any purpose that cannot be exempt under the SEPP, the applicant for the future use is to apply to Council for its use and occupation. Should the future use be exempt under the Code SEPP, a condition is recommended for inclusion in the consent restricting the hours of operation from 7am to 7pm daily, to ensure that any non-residential uses do not unreasonably disrupt the amenity of the surroundings.



Figure 1: Photomontage of Blocks A, B and C with architectural roof features

SITE & SURROUNDS

The site was inspected on 7 November 2014.



Figure 2: Site Map

The subject site is a large irregular trapezium with a frontage of 166.5m to East Street and once consolidated will have a site area of 6855m². The subject site is relatively flat with a slight fall from the west to the east. To the rear of the site lies Granville Station and the railway corridor which incorporates an elevated platform which appears as a concrete wall along the sites rear boundary.

The existing buildings on the southern side of East Street in the subject site consist of industrial buildings, both single and two storeys, some of which are also used as office premises.

To the northern side of East Street are single and two storey buildings, some dwellings and others commercial buildings.

There are two heritage listed items – Local significance, namely 19 East Street (item No.1106) a single storey residence and 21-23 East Street (item No.1107), semi- detached dwellings to the northern side of East Street.



Figure 3 – Photograph of eastern end of development site from East Street.

The subject site and its immediate surroundings are zoned B4 Mixed Use.

There is an existing electrical easement between Lots 1 DP 745652 and DP 1009146 (32 and 38)

SURROUNDING DEVELOPMENT & PLANNING CONTEXT

The subject site and its immediate surroundings are predominantly industrial in character. The main use of the subject site and surrounding area is storage facilities and small scale manufacturing units and some office spaces to the northern and southern end with associated on-site parking. However the northern side of East Street is presently occupied by 7 single storey dwellings and a three storey residential flat building.



Figure 4 -Dwellings and a residential flat building to the northern side of East Street.



Figure 5 – Photograph of East Street facing east.



Figure 6 - Photograph of East Street facing west.

Currently the only development under construction is at 6 East Street, for a 19 storey mixed use development. To the eastern end of the Street is Duck Creek.

There are 12 lots proposed for consolidation and the only site which is isolated is 44 East Street (owned by NSW Transport- Sydney Trains).

The entire area north of Granville Railway Station bound by Rowell Street to the west and Cowper Street to the north is zoned as B4 Mixed Use. It is surrounded to the north by Parramatta Road zoned as B6 Enterprise corridor and Good and Bridge Street to the west zoned as B2 Local Centre as shown in the map below.

There are no other buildings approved or built in this street and in the immediate vicinity. However given that the maximum permissible height for the subject site and immediate surroundings is 52 m, the local planning context is the provision of high rise high density developments with an adequate mix of other supporting commercial landuses.

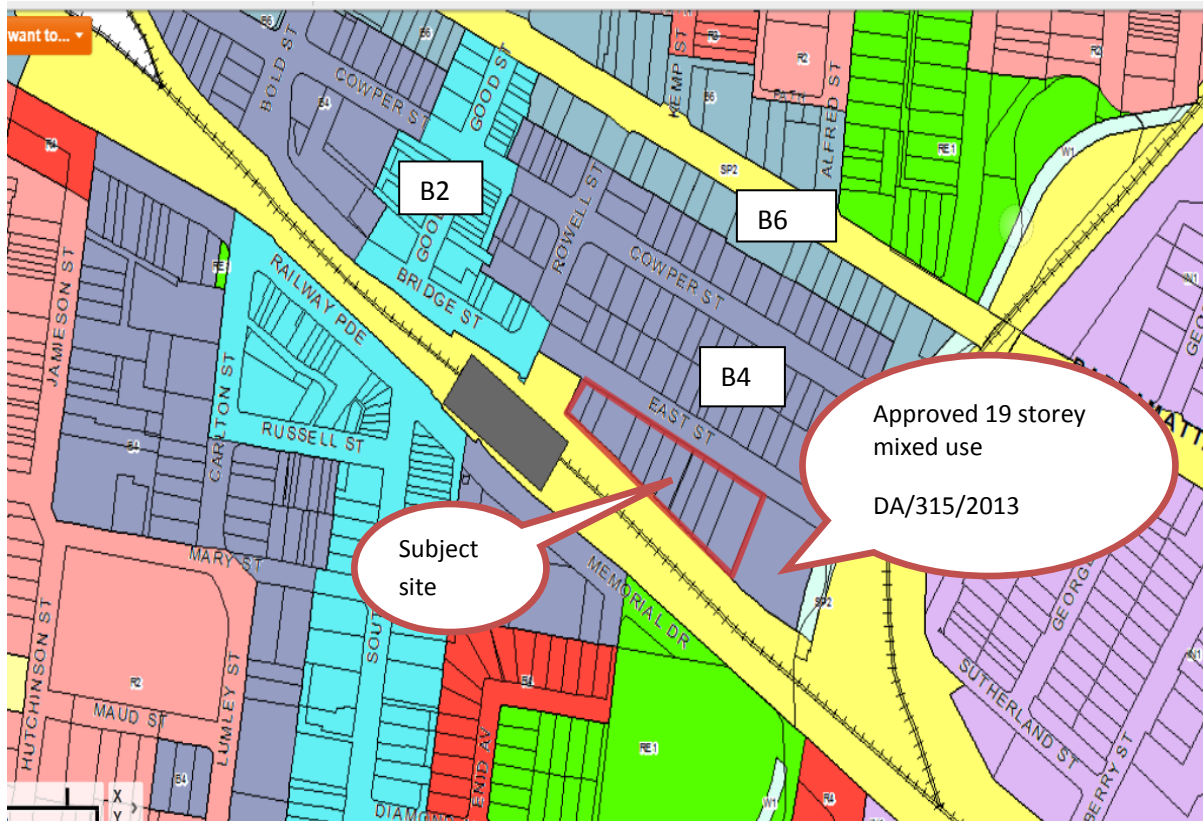


Figure7: Zoning Map

ENVIRONMENTAL PLANNING INSTRUMENTS

STATE ENVIRONMENTAL PLANNING POLICY 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

The proposed development does not entail any hazardous or offensive material manufacturing or use, therefore does not require an assessment under the SEPP.

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

The provisions of the SEPP have been considered in the assessment of this application. The site is not identified in Council's records as being contaminated. The applicant has submitted a Preliminary Site Investigation (PSI) report prepared by Douglas Partners to investigate the previous uses of the site and the potential of any former land use requiring further investigation.

The PSI report details that the subject site was previously used for residential purposes, with development into small commercial/ industrial premises from the 1950's. These include mechanical repairs (motor car and steering boxes), potential car wash, warehouse and storage facilities, administration and training centres.

NSW Work Cover records indicate storage of fireworks at a warehouse within the site (24 East Street).

No areas of the site or immediate neighbouring properties are listed on 'Contaminated Land Record of Notices' or 'List of NSW contaminated sites notified to EPA'.

The preliminary site investigation report has recommended the following;

- Targeted soil sampling for areas of the site which are to remain and are not part of the basement excavation (i.e. landscaped garden areas), to ensure the material is suitable for the intended site use. In particular, it would be prudent to include testing of soil for herbicides (due to the adjacent historic railway corridor), as well as assessment against appropriate environmental investigation and screening levels.
- Installation of two additional groundwater wells in central areas of the site, as well as additional testing of the two existing wells. Given the proposed basement excavation, the potential need for de-watering, and the proximity of Duck Creek, testing should include as a minimum metals, hardness, electrical conductivity, redox, cation exchange capacity (CEC) and dissolved oxygen (DO). These additional wells and testing would allow for the contamination potential of groundwater at the site to be better evaluated and subsequent requirements for management during de-watering (if needed).
- Additional testing of soil for waste classification to supplement the data herein and confirm the preliminary *in situ* waste classification.

The PSI report was also assessed by Council's Environmental Health team and further requirements as follows were included;

- A pre-demolition hazardous building materials survey to identify the location and nature of hazardous building materials;
- Removal and disposal of the identified hazardous materials by an appropriately licensed and qualified contractor, at an appropriately licensed disposal facility;
- Validation / clearance of the site area by a qualified occupational hygienist upon completion of demolition and removal of the buildings, confirming that there are no residual asbestos containing materials or other hazardous materials remaining on the site.

Planner's comments:

The above requirements have been incorporated into suitable conditions of consent.

STATE ENVIRONMENTAL PLANNING POLICY – BASIX

The requirements outlined in the BASIX certificate have been satisfied in the design of the proposal. A condition will be imposed to ensure such commitments are fulfilled during the construction of the development.

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

The site is not located on the foreshore or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development.

The development is consistent with the controls contained with the deemed SEPP.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

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

The application is subject to clause 45 of the SEPP as the development does propose works within the vicinity of electricity infrastructure. There is an electrical easement within the site, which is proposed to be retained. Endeavour Energy has responded that the developer will need to ensure arrangements are in place prior to the development proceeding. This requirement will form part of the conditions of consent.

The application is subject to clause 85 and 86 of the SEPP as the development adjoins the Western Railway corridor and excavation is proposed adjacent to this railway corridor. The matter was referred to Sydney Trains who have provided their concurrence subject to conditions of consent, which are discussed elsewhere within this report.

The application is not subject to clause 101 of the SEPP as the site does not have frontage to a classified road.

The application is not subject to clause 102 of the SEPP as the average daily traffic volume of East Street is less than 40,000 vehicles.

STATE ENVIRONMENTAL PLANNING POLICY (URBAN RENEWAL) 2010

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

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

The subject site falls under the Granville Potential Precinct Map. In accordance with Clause 10 of the SEPP, the proposed development is consistent with the objective of developing the potential precinct for the purposes of urban renewal as the proposed development facilitates the increased development of the site to assist in achieving the following objectives:

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

STATE ENVIRONMENTAL PLANNING POLICY 65 - DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT

SEPP 65 applies to the development as the building is more than 3 storeys in height and contains a residential component.

DESIGN EXCELLENCE ADVISORY PANEL (DEAP)

The development application was considered by the Panel, who provided the following advice.

1. *Concern that a Pre-lodgement consultation with the Panel was not undertaken for a major development of this nature.*
2. *Panel supported the high density residential development along with ground level commercial use.*
3. *Major concern with the form, bulk and quality of streetscape.*
4. *Concern with the lack of adequate and useable landscape open space.*
5. *Panel supports the height variation, however should result in public domain enhancements or community benefits.*
6. *Panel is strongly of the view that the building podium should be broken between the three towers in order to create useable ground level landscaped areas.*
7. *The proposed 3 m wide podium separation over the electrical easement between Block B and C is unacceptable and this should be widened.*
8. *In the current form the buildings appear to be squat and massive as compared to the immediate neighbouring building on 2- 8 East Street.*
9. *Concerns on the lack of cross ventilation due to long corridors and the need to enclose some balconies due to the railway corridor.*

10. Detailed documentation showing the details of the pedestrian/public-private interface at ground level.

11. Provision of amenity on the roof terrace.

Planning comment on DEAP advice

The applicant has provided a detailed response to the DEAP comments. The majority of DEAP's concerns have been addressed by the applicant and further comments on the proposal have been provided by Council's Urban Design Unit in the referral section. The proposed development is considered acceptable based on the following:-

DESIGN QUALITY PRINCIPLES

SEPP 65 sets 10 design quality principles. The development has adequately addressed the 10 design quality principle in the following way:

RFDC design quality principle	Response
1. Context	The subject site and its immediate surroundings are zoned B4 Mixed Use under PLEP 2011. Further it also falls with the Urban Renewal SEPP for Granville. The future use as envisaged in the PLEP 2011 and SEPP is for mixed use developments catering to the housing needs within Granville.
2. Scale	The subject site has a maximum permissible height of 52 m (approximately 17 storeys); however an approved development at 6 East Street to the east of the subject site has 19 storeys. The current development proposes 3 Blocks. Block A closest to the approved development at 6 East Street has a maximum of 19 storeys with architectural roof features and Block B and C to the west of Block A transitions to a 17 storey building with architectural roof features. This is considered acceptable.
3. Built form	The proposed development consists of 3 blocks, with 3 level podiums and commercial spaces to the ground floor. There is a separation of 9.39m with a pocket garden to the depth of 14m. This is considered an acceptable as assessed by Council's Urban Design unit.
4. Density	The proposed development is well within the permissible FSR for this site
5. Resource, energy & water efficiency	A BASIX Certificate has been submitted and the building meets the required energy and water efficiency targets
6. Landscape	The Landscape plan has been assessed and considered to be acceptable and provides for adequate solar access and privacy.
7. Amenity	The proposed residential units meet the requirements

	of the RFDC code and the DEAP panel has not raised any additional concerns.
8. Safety & security	The ground floor has commercial tenancies which have facades facing the street. The upper podiums and levels have balconies facing the street to provide for passive surveillance
9. Social dimensions/housing affordability	The unit mix of the proposal provides acceptable housing choice within the area.
10. Aesthetics	The development incorporates an appropriate palette of colours and materials that will complement the locality.

Integral to SEPP 65 is the Residential Flat Design Code (RFDC), which sets benchmarks for the appearance, acceptable impacts and residential amenity of the development. The development's compliance with the RFDC is assessed below.

RESIDENTIAL DESIGN FLAT CODE

Note: The RFDC applies as the DA lodged before Apartment Design Guidelines in force.

PARAMETER	CONTROL	PROPOSAL	COMPLIANCE
Separation	12m between habitable rooms (up to 4 storeys) 18m between habitable rooms (5-8 storeys)	<p><u>Levels 1-3</u></p> <ul style="list-style-type: none"> Block A and the Development to the east of the site = 16 to 16.8m Block A and Block B = 16.3m to 18m Block B and Block C = 9.8m to 15.3m <p><u>Level 4</u></p> <ul style="list-style-type: none"> Block A and the Development to the east of the site = 15.4m to 17.7m Block A and Block B = 16.85m to 18.6m Block B and Block C = 13.71 to 18.35m <p><u>Levels 5-12</u></p> <ul style="list-style-type: none"> Block A and the Development to the east of the site = 20m to 18m Block A and Block B = 14m to 18.8m Block B and Block C = 15.6m to 18m <p><u>Levels 13-14</u></p> <ul style="list-style-type: none"> Block A and the Development to the east of the site = 20m to 18m Block A and Block B = 14m to 18.8m Block B and Block C = 15.6m to 18m <p><u>Levels 15-16</u></p> <ul style="list-style-type: none"> Block A and the Development to the east of the site = 20m to 18m Block A and Block B = 14m to 18.8m Block B and Block C = 15.6m to 18m <p><u>Level 17 -18</u></p>	<p>The proposal generally demonstrates compliance with the requirements for the building separation. However, minor variations are proposed in some areas. These minor encroachments are deemed acceptable in the circumstances of this case as:-</p> <ul style="list-style-type: none"> The subject site is wider to the northern end and narrows down to the southern end. The subject site backs on the railway corridor.

PARAMETER	CONTROL	PROPOSAL	COMPLIANCE
		<ul style="list-style-type: none"> Block A and the Development to the east of the site =20m to 18m 	
Storage	1 bedroom 6m ³ 2 bedroom 8m ³ 3 bedroom 10m ³	The typical layout plans of each level shows compliance with the storage requirements.	Yes
Balconies	Provide primary balconies for all apartments with a minimum depth of 2m.	All units are provided with balconies with a minimum area of 10m ² and depth of 2 metres.	Yes
Residential Ceiling heights	Minimum 2.7m	Ground Floor –3.3m (commercial) All levels- 2.7m	Yes
Min. Apartment size	1 bedroom 50m ² 2 bedroom 70m ² 3 bedroom 95m ²	Complies 1 bedroom-56m ² 2 bedroom- 80-92m ² 3 bedroom-99.5m ² – 110m ²	Yes
Open Space	The area of communal open space should be between 25-30% of the site area .	Required=1714m ² Provided = 2823m ² (41%)	Yes
Deep Soil	A minimum of 25% of the open space area should be a deep soil zone .	Required= 429m ² Provided = 2077m ² (30%)	Yes
Internal circulation	A maximum of 8 units should be provided off a double loaded corridor	<p>Block A</p> <p>A maximum of 10 apartments are accessed per core. However there is a large open atrium with lobbies for each floor which allows for appropriate internal circulation.</p> <p>Block B</p>	No, however acceptable

PARAMETER	CONTROL	PROPOSAL	COMPLIANCE
		<p>A maximum of 10 apartments are accessed per core. This is along a long corridor with open glass louvers to the ends which allows for internal circulation.</p> <p>Block C A maximum of 7 apartments are accessed per core.</p>	<p>No, however acceptable</p> <p>Yes</p>
Daylight Access	Living rooms and private open spaces for at least 70% of apartments should receive 3 hours direct solar access on winter solstice	395 Units (86% of units) will achieve 3 hours of solar access during the winter solstice.	Yes
Daylight Access	Limit the number of single aspect apartments with a SW-SE aspect to a maximum of 10% of total units	63 units have a single aspect that addresses SW-SE. 14%	No, however acceptable, given that only the unit's up to the podium level (3 storeys) will have any significant impact, while the rest of the units on the upper levels will receive adequate solar access.
Natural ventilation	60% of units should be naturally cross ventilated	More than 60% of units will achieve natural cross ventilation.	Yes
Natural ventilation	<p>At least 25% of kitchens should have access to natural ventilation</p> <p>The back of a kitchen</p>	<p>8% of kitchens are provided with natural ventilation.</p> <p>All units are provided with windows within 8 metres of a</p>	<p>No, however will be conditioned for mechanical ventilation.</p> <p>Yes</p>

PARAMETER	CONTROL	PROPOSAL	COMPLIANCE
	should be no more than 8m from a window	kitchen.	
Planning comment	The proposed development generally complies with the requirements of the SEPP 65 Residential Flat Design Code and is acceptable.		

PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

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

DEVELOPMENT STANDARD DISCUSSION	COMPLIANCE	
4.3 Height of Buildings Height Map shows that the maximum height of new developments for the subject site is 52 metres.	No	The proposed maximum height varies from 60.335m for Block A, to 54.5m for Block B and C. The variation ranges from 22.91% to 4.9% and this includes architectural roof features.
4.4 Floor Space Ratio Floor Ratio Map shows that the maximum FSR of new developments for the subject site is 6.0:1.	Yes	Site Area = 6855 m ² Permissible = 41130m ² Proposed = 37939m ² FSR = 5.54:1
4.6 Exceptions to development standards	Yes	The application seeks approval to vary clause 4.3 relating to height of buildings. Refer to the discussion at the end of this table for detailed assessment.
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	Yes	An architectural roof feature is proposed for the three blocks. All the blocks have common open space to the roof top with features providing shade structures and does not include additional floor space.
5.9 Preservation of trees	N/A	No tree removal proposed.
5.10 Heritage Conservation	Yes	According to the Heritage Item and heritage conservation maps the subject site is not a heritage item or within a heritage conservation area.
5.10.8 Aboriginal Places of Heritage Significance	Low	The site is identified as being of low significance by Council's Aboriginal Heritage Sensitivity Database.

DEVELOPMENT STANDARD DISCUSSION		COMPLIANCE
		The proposal is not considered to impact an aboriginal place of heritage significance.
6.1 Acid sulphate soils Is an Acid Sulphate Soils Management Plan Required?	Class 4	The site is identified as containing Class 4 Acid Sulphate Soil. An Acid Sulphate Soil management Plan has been submitted and its recommendations will form part of the conditions of consent.
6.2 Earthworks Are the earthworks associated with the development appropriate?	Yes	Council's Development Engineer has reviewed the application and considers that the proposed earthworks are satisfactory subject to conditions.
6.3 Flood planning Is the site flood prone?	No	The site is not identified as being flood prone. However, is in close proximity of the flooding from Duck Creek to the east of the site. Council's Development engineer has assessed the application and has not raised any concerns subject to imposition of appropriate conditions of consent.
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.
6.5 Water protection Is the site identified as being riparian land on the 'Riparian Land and Waterways Map'?	No	The site is not identified on this map.
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.
6.7 Affected by a Foreshore Building Line	No	The site is not located in the foreshore area.

EXCEPTIONS TO DEVELOPMENT STANDARDS WITHIN LEP 2011

1. *The objectives of this clause are as follows:*
 - (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
 - (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

A request for an exception under clause 4.6 was lodged with the application as the proposed development exceeds the maximum height for the site permitted by clause 4.3.

The applicant has stated the following in support of the request for the variation.

1. The proposed podium and tower design of Blocks A, B and C will align with the approved design concept and building heights approved for the adjoining development at 6 East Street.
2. The proposed design concept and building heights are appropriate for the strategic location of the site within the Granville Town Centre.
3. The proposed development clearly establish and identify the importance of the B4 Mixed use within the vicinity of Granville Railway station and close proximity to the commercial core of Granville Town Centre.
4. The proposed development complies with the permitted FSR control of PLEP2011.
5. The increase in height due to the architectural roof features for the three blocks can be excluded under clause 5.6(2) of PLEP 2011.

The variation sought is as follows:

Maximum height under PLEP 2011	Proposed	Degree of variation and merit
52m	<p>Block A= 63.91m to the top of the building and 60.05m to the building closest to the street.</p> <p>Block B= 58.47m to the top of the building and 54.32m to the building closest to the street</p>	<p>Block A= 11.91m or 22.91% (Top of the building including the roof features) and 15.48% to the building closest to the street (excluding the roof features).</p> <p>Block B – 12.45% to the top of the building including the architectural roof feature and 4.47% to the building closest to the street excluding the roof</p>

	Block C= 56.83m to the top of the building and 54.23m to the top of the building closest to the street.	feature. Block C= 4.83m or 9.29% to the top of the building including the architectural roof feature and 2.23m or 4.29% to the building closest to the street excluding the architectural roof feature.
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PCC assessment of the exception under clause 4.6:

In assessing an exception to vary a development standard, the following needs to be considered:

1. Is the planning control a development standard?

Yes, Clause 4.3 (maximum permissible building height) is a development standard.

2. What is the underlying object or purpose of the standard?

The purpose of Clause 4.3 is to ensure that the bulk and scale of the development is suitable with regard to the area of the site and the type of development proposed. Clause 4.3 specifically states that the objectives are as follows;

- *To nominate heights that will provide a transition in built form and land use intensity.*
- *To minimise visual impact, disruption of views, loss of privacy and loss of solar access to existing development.*

3. Is compliance with the development standard consistent with the aims of the Policy, and in particular does compliance with the development standard tend to hinder the attainment of the objects specified in section 5(a)(i) and (ii) of the EPA Act?

Compliance with the development standard would be inconsistent with the stated objectives of the clause in that the proposed 19 and 17 storey mixed use buildings provide a transition in the built form from the south eastern end to the south western end of East Street. There is an approved 19 storey building to the eastern boundary of the site and Block A mimics that height (19 storeys) with additional architectural roof features. Block B and C provide a transition to the west in the form of 17 storey buildings with architectural roof features.

Strict compliance with the development standards would render the application inconsistent with the objectives specified in section 5 (a) (i) and (ii) of the EPA Act

The objection to the development standard will ensure that the proposed development will satisfy the objectives of the clause.

4. Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

It is considered that it would be unreasonable to require the development to comply with the maximum permissible height given that the proposed buildings transition from an approved 19 storey building to the east through to a 17 storey building to the west for the following reasons;

- a) The proposed buildings are within a B4 Mixed use site within the Granville Town Centre, strategically located adjacent to Granville Railway Station and the commercial hub and designed to set the tone and scale for comparable future developments.
- b) The recessed nature of the roof top communal areas and ancillary roof structures and lift cores, makes the extent of variation not visible from the street.
- c) The proposal has been designed to mitigate any privacy issues and there are no known significant overshadowing impacts.

The figure below indicates the variation.

52m maximum
permissible
building height

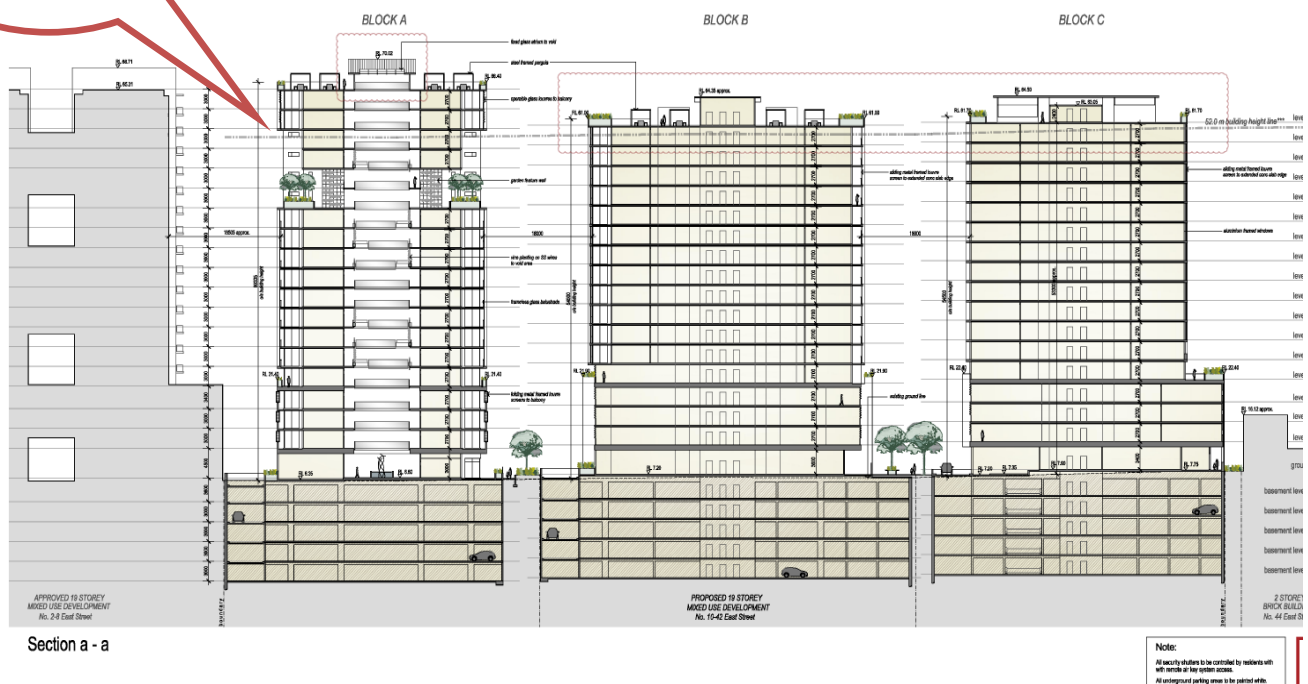


Figure 7: Elevation – Sections

5. Is the exception well founded?

In accordance with the principles established in *Wehbe v Pittwater Council* the objection is considered well founded for the following reasons;

- The proposed height variations to Block A, B and C provide a transition from the approved 19 storey mixed use development to the eastern end of East Street.
- The architectural roof features that are provided further increase the actual building height, however are recessed and not visible from the street level.
- The proposed buildings do not contribute to any additional privacy issues.
- The proposed development complies with the FSR requirements under PLEP2011.
- The proposal does not result in any unacceptable over shadowing to surrounding residential development by virtue of the orientation of the site. The overshadowing impacts are largely restricted to the adjoining railway corridor to the south and the car park beyond.
- The proposed buildings are designed to set a positive precedent for the tone and scale of comparable future developments within the Granville Town Centre.
- The proposed buildings are not in the immediate vicinity of any low density residential zone.



Figure 8: Block C – Architectural roof features and the related height.



Figure 9: Block B- Architectural roof features and the related height.

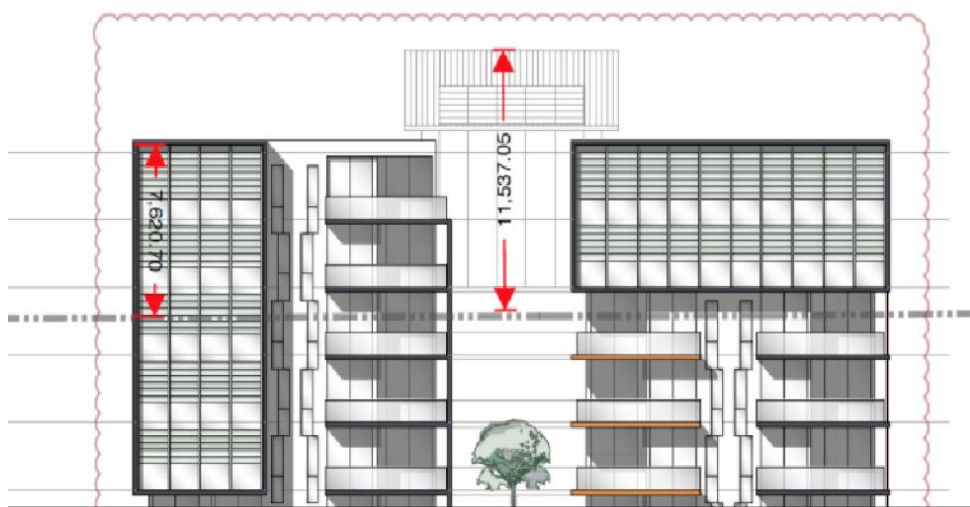


Figure 10: Block A- Architectural roof feature and the related height.

Further the judgement of *Pearson C in Four2Five Pty Ltd v Ashfield Council* [2015] NSWLEC 1009 dated 30 January 2015 has also been considered in the assessment of this variation. The judgement argues that a public benefit arising from the additional housing and employment opportunities are not unique to any specific mixed use development, nor are the proximity to transport hubs, it in fact can be achieved by any generic mixed development. These were not considered proper grounds for considering any variation under clause 4.6.

The operative part of the judgement is as follows;

“

60. The environmental planning grounds identified in the written request are the public benefits arising from the additional housing and employment opportunities that would be delivered by the development, noting (at p 5) the close proximity to Ashfield railway station, major regional road networks and the Ashfield town centre; access to areas of employment, educational facilities, entertainment and open space; provision of increased employment opportunities through the ground floor retail/business space; and an increase in the available housing stock. I accept that the proposed development would provide those public benefits, however any development for a mixed use development on this site would provide those benefits, as would any similar development on any of the sites on Liverpool Road in the vicinity of the subject site that are also in the B4 zone. These grounds are not particular to the circumstances of this proposed development on this site. To accept a departure from the development standard in that context would not promote the proper and orderly development of land as contemplated by the controls applicable to the B4 zoned land, which is an objective of the Act (s 5(a)(ii)) and which it can be assumed is within the scope of the “environmental planning grounds” referred to in cl 4.6(4)(a)(i) of the LEP.

61. The written request argues that compliance is unnecessary in the circumstances of the case because the proposed development meets the

objectives of the standard and the zone objectives, and that insistence on strict compliance would be unreasonable. Achieving the objectives of the development standard notwithstanding non-compliance with the standard was the most commonly invoked way of establishing that compliance with a development standard was “unreasonable or unnecessary in the circumstances of the case” under cl 6 of SEPP 1: Wehbe v Pittwater Council “

In this specific instance the higher density and mixed use development is also further encouraged within SEPP (Urban Renewal) 2010 which identified Granville as a precinct for further high density development. There is also precedence at 6 East Street where a 19 storey mixed use development was approved with a clause 4.6 variation. While Block A has a proposed 19 storey building with architectural roof features and adjoins the site to the east which is the approved 19 storey mixed use development, Block B and C have proposed 17 storeys with variations of 4.47% and 4.29% respectively excluding the architectural roof features. Block A will have two additional storeys, while Block B and C will have additional $\frac{1}{2}$ and $\frac{1}{4}$ storeys respectively.

It makes a case for the variation to be accepted given the requirements of SEPP (Urban Renewal) 2010, the objectives of which are as follows;

The aims of this Policy are as follows:

(a) to establish the process for assessing and identifying sites as urban renewal precincts,

(b) to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts,

(c) to facilitate delivery of the objectives of any applicable government State, regional or metropolitan strategies connected with the renewal of urban areas that are accessible by public transport.

Further clause 10 of the Policy clearly states ;

10 Development in potential precincts

(1) This clause applies to a development application to carry out development on land that comprises all or part of a potential precinct if the proposed development is or involves subdivision, or has a capital investment value of more than \$5 million, and is not exempt or complying development.

(2) The consent authority must not grant development consent unless it is satisfied that the proposed development is consistent with the objective of developing the potential precinct for the purposes of urban renewal.

(3) For the purposes of subclause (2), the consent authority is to take into account whether or not the proposed development is likely to restrict or prevent the following:

(a) development of the potential precinct for higher density housing or commercial or mixed development,

(b) the future amalgamation of sites for the purpose of any such development within the potential precinct,

(c) access to, or development of, infrastructure, other facilities and public domain areas associated with existing and future public transport in the potential precinct.

The proposed development clearly satisfies the requirements above and has no known adverse environmental impact as evident from the assessment above and is acceptable.

It is also clear that the proposed variation to the building height meets the objectives of the development standard for maximum permissible building height by allowing for a transition in height from Block A to B and C and also further minimise visual impact, there are no disruption of views or loss of privacy and there is no known loss of solar access to any existing development.

Given the totality of the assessment above the variations are acceptable and supported.

ZONE OBJECTIVES

ZONE OBJECTIVES

The objectives of the zone include:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage development that contributes to an active, vibrant and sustainable neighbourhood.

The proposed development is consistent with the aims and objectives of the zone as the mixed use buildings proposed provide a mixture of compatible land uses and integrates commercial and residential land use. The provision of street level commercial spaces and a pocket park will provide for an active and vibrant streetscape.

PARRAMATTA DEVELOPMENT CONTROL PLAN 2011

DEVELOPMENT CONTROL	COMPLIANCE	DISCUSSION
2.4.1 Views and Vistas Preserve significant features and areas of high visibility	N/A	The site is not identified as containing significant views.
DEVELOPMENT CONTROL	COMPLIANCE	DISCUSSION


2.4.2.1 Flood affectation	N/A	The site is not identified in Councils database as being flood prone.
2.4.2.2 Protection of Waterways Does the site adjoin a waterway?	N/A	The site does not adjoin a waterway.
2.4.2.3 Protection of Groundwater Is a basement car park proposed?	Yes	Yes, the basement and excavation requirements have been assessed by Council's Development engineer and conditions of consent imposed.
2.4.3.1 Soil Management Are there adequate erosion control measures?	Yes	An erosion and sedimentation plan has been submitted with the application.
2.4.3.2 Acid sulfate soils	Yes	Refer to LEP table above.
2.4.3.3 Salinity Moderate, high or known salinity potential?	Yes	The site is of moderate salinity potential .The landscaping is appropriate for the salinity hazard and appropriate conditions have been included in the recommended conditions.
2.4.4 Land Contamination	Yes	Refer to assessment under SEPP 55 heading.
2.4.5 Air Quality Will demolition and construction contribute to increased air pollution?	Yes	Standard conditions of consent will be applied.
2.4.6 Development on Sloping Land. Does the design of the development appropriately respond to the slope of the site?	Yes	The subject site is relatively flat and the design responds to the sloping of the land.
2.4.7 Biodiversity Is vegetation removal appropriate?	Yes	There is very little vegetation on the site.
2.4.7.2 Does the land abutt the E2 Environmental Protection zone or W1 Natural Waterways zone	Yes	The site does not adjoin land zoned E2 or W1.
2.4.8 Public Domain Does the building address the public domain, provide appropriate passive surveillance opportunities, and have appropriate public domain enhancements?	Yes	The proposed development in its three stages provides for activation of the street and passive surveillance from ground floor commercial

		tenancies and the residential flat units have balconies facing the street which would provide additional passive surveillance.
3. Preliminary Building Envelope		
Frontage Minimum 18m if the development is more than 10 metres in height.	Yes	The entire site has a frontage of 168.515m
Height (refer also to LEP table) Does the proposal exceed the number of storeys outlined in the DCP height table?	No	A clause 4.6 variation request has been provided and supported by Council. There are no numerical controls with respect to the number of storeys.
Front Setback 3 m setback except where specified in Part 4 of DCP	Yes	4 m minimum and 6m maximum.
Side Setback Dependent on amenity impacts on adjoining developments.	Yes	There are further controls under Part 4 of DCP
Deep Soil and Landscaping Required to the rear setback if the site adjoins residential development or otherwise on merit.	Yes	Refer to previous RFDC assessment.
3.2. Building Elements		
3.2.1 Building Form and Massing Height, scale and bulk consistent with existing or planned building patterns in the street?	Yes	Yes
3.2.2 Building Façade and Articulation Does the building exceed the building envelope by more than: <ul style="list-style-type: none"> • 800mm for balconies and eaves: • 600mm for Juliet balconies and bay windows Are the building facades modulated in plan and elevation to reduce building	Yes	Yes

bulk? Are Multiple stair lift/cores provided to encourage multiple street entries?		
3.2.3 Roof Design Does that roof form minimise the bulk and scale of the building, and respond to the existing or planned form?	Yes	An architectural roof feature is proposed and supported for each tower.
3.2.5 Streetscape Does the development respond to the existing or planned character of the street? Are garages and parking structures dominant? Are pedestrian or vehicular laneways activated? Are the mail boxes visually integrated within the built form and conveniently accessed? Does the development provide for active non-residential uses with at grade pedestrian access? Minimal solid walls used on the ground floor shop front.	Yes Yes Yes Yes Yes Yes	Yes Basement car park proposed. A desired laneway is proposed between the Blocks B and C, with a pocket garden which is proposed to be dedicated to Council. This forms part of the conditions of consent. Effort has been made to integrate the mail boxes within buildings. Effort has been made to provide commercial uses with appropriate pedestrian access. Glass facades proposed.
3.2.6 Fences Front fence a maximum height of 1.2metres?	N/A	There are no front fences however the pocket garden proposed between Block B and C is to be separated from the private open space by a 1.8m high fence.
3.3 Environmental Amenity		
3.3.1 Landscaping		

Natural features retained and incorporated? Minimum soil depth of 1m provided above basement?	Yes	Landscaping has been provided to the podium and other levels for the three blocks and to the rear.
3.3.2 Private Open Space Minimum of 10m ² private open space with minimum dimensions of 2.5m per unit?	Yes	Yes
3.3.2 Common Open Space	Yes	Refer to previous RFDC assessment.
Swimming Pool proposed?	N/A	A swimming pool is not proposed.
3.3.3 Visual Privacy Do balconies face the street or another element of the public domain such as a park? Is a minimum building separation of 12m provided between habitable rooms/ balconies?	Yes Yes	Yes Refer to previous RFDC assessment.
3.3.4 Acoustic Amenity Does the dwelling adjoin a noise-generating land use?	Yes	The site does adjoin a noise generating land use which is the Western Railway line to the rear of the site. An acoustic report has been submitted and its recommendations will form conditions of consent.
3.3.5 Solar Access (refer also to RFDC section) 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	The shadow diagrams indicate that the impact is essentially to the railway corridor to the south and west.
Cross Ventilation Minimum floor to ceiling height ground (3.3 metres) and upper levels (2.7m) Are 80% of dwellings naturally cross ventilated? Are single aspect apartments limited in	Yes Yes Yes	Ground Floor = 3.3m Upper levels = 2.7m See previous RFDC assessment.

depth to 8m from a window? Does the building have a maximum depth of 18m?	No	Block A= 37m Block B=22 m Block C=16m The variations are acceptable, given that the site has a railway corridor to the rear.
3.3.6 Water Sensitive Urban Design On-site detention system appropriately designed?		See Engineers comment in Referrals section.
3.3.7 Waste Management Is the waste management plan satisfactory? Is the bin room appropriately sized for the number of bins required? Will a private contractor be required to minimise bins on the street for pickup?	Yes	Council's Environmental Health (Waste) have provided comments and conditions of consent. As per Council policy a private contractor will be required for bin collection for each of the Blocks as there are more than 30 units in each.
3.4 Social Amenity		
3.4.1 Public Art – is an Arts Plan provided? (CIV of more than \$5,000,000.00, and located in CBD/town centre).	Yes	Has been assessed by Council's relevant officer and conditions of consent provided.
3.4.2 Access for People with disabilities. Does the development contain adequate access for people with a disability?	Yes	Yes
3.4.4 Safety and Security Has the development been designed in accordance with crime prevention principles?	Yes	Yes
3.4.5 Housing Diversity and Choice Is the unit mix in accordance with the following: 3 bedroom 10% - 20% 2 bedroom 60% - 75% 1 bedroom 10% - 20% Adaptable dwelling provision	Partial compliance	Provided – 112x 1 bedroom units (24%) 318x 2 bedroom units (69%) 33x 3 bedroom units (7%) Adaptable dwellings =49 units

Less than 10 units = 1 10-20 units =2 More than 20 units = 10%		The proposal complies with the requirements for 1, 2 bedroom units and adaptable units with a minor variation for 3 bedroom units and it is acceptable.
3.6.2 Sustainable Transport Is a publicly accessible car share parking space required and provided, with evidence of an offer to car share providers?	Yes	Refer to Traffic Engineer's comments.
3.6 Parking Provision Refer to the Traffic referral section.		
3.6.3 Accessibility and Connectivity Is a 3m wide pedestrian through link required and provided?	Yes	A 9 m wide pocket park with a future 3 m wide pedestrian access as desired in the PDCP 2011 has been provided.
3.7.2 Site consolidation and isolation Refer to the Planning Context discussion		
4.1.6 Granville Town Centre		
P1 Pedestrian Connections and Laneways	Yes	<p>A new pedestrian laneway is proposed as per Figure 4.1.6.1 below</p>  <p>See Discussion below.</p>
<p>Discussion:</p> <p>The applicant has nominated to dedicate to Council “free of cost” a pocket park and a right</p>		

of carriage way located between Block B and C and as indicated in the dedication plan drawing DP01 dated 24 August 2015. Council has accepted this dedication at no cost and will be conditioned to be a stratum subdivision.

Setbacks C.1 (vii) For development in the B4 Mixed Use zone between Parramatta Road and the railway line, setbacks shown in Figure 4.1.6.1 apply to the first 4 storeys. An additional 3 metre upper level setback applies to any development above 4 storeys.	Yes	4m minimum and 6 m maximum upto 15 m height. 3.4 minimum to 7.4m maximum above 15m.
C. 2 Rear setbacks (ii) B4 Mixed Use A minimum setback of 9 m for development up to 25m. A minimum setback of 12 m for development above 25m. Side Setbacks (v) a zero side setback is allowable for development up to 4 storeys in height except when development addresses a laneway. (vi) For any portion of the development above 4 storeys(in height, a minimum side setback of 9 m is required for habitable rooms and a minimum side setback of 6.5m for non-habitable rooms	Yes Yes	6m minimum to 10 m maximum. 8m to 16m and an average of 10m. A minor variation, which can be supported since the rear faces the Western Railway corridor. Eastern side setback Up to 15m- 7.2m average, with zero setbacks to the frontage to East Street. Above 15m- 9m average Western side setback Up to 15m - 1.1m minimum and 3m average Above 15m- 7.8m average
C.7 Minimum Site Frontage For sites over 3200m ² – 60m	Yes	168.515m
C.8 Land amalgamation The preferred pattern of land amalgamation is to be side by side to maximize lineal street frontage and to encourage east-west built form.	Yes	All the lots proposed for amalgamation are side by side along the southern side of East Street.
Landscaping and Deep soil C.10 In the B4 Mixed Use zone between Parramatta Road and railway line , a minimum of 30%of the site is to be deep soil zone and not less than 40% of the site is to be landscaped.	Yes	Site area= 6855m ² <u>Landscape area</u> Required =2742m ² Provided= 2953m ² <u>Deep soil</u> Required= 2076m ² Provided= 2077m ²
Development between Parramatta Road and Railway Line C.14 Residential and commercial	Yes	

apartments are to be designed to enable casual surveillance of public spaces.		
C.15 For development greater than 15m in height, buildings with large floor plates, must be expressed as separate building elements.	Yes	
C.16. For development greater than 15m in height, the horizontal dimension of any building façade must not exceed 35m.	Yes	
C.19 Use Light wells and courtyards to improve internal building amenity and cross ventilation.	Yes	
C.20 the roof forms of all buildings are to add interest to the skyline.	Yes	

REFERRALS

External referrals

No objection (subject to conditions) was raised by the following external referral bodies - Roads and Maritime Services, Sydney Water, Sydney Trains. Endeavour Energy has requested the applicant to finalise the details prior to construction taking place.

Internal referrals

No objection (subject to conditions) was raised by the following internal Council sections – Traffic section, Development Engineer, Tree Officer, Landscape Architect, Urban Design, Health (Waste) section, Health (site contamination), Heritage Advisor, Social Outcomes and Arts Plan. A briefing was also held for Sydney West JRPP on 22 January 2015 and no additional concerns were raised.

Discussion

Urban Design

Council's Urban Design unit has assessed the application subsequent to the applicant amending the architectural drawings pursuant to DEAP recommendations. The issues that were considered by the Urban Design unit include the streetscape and presentation of the building to the street, provision of pocket garden between Block B and C and the landscaping of the street with the removal of bicycle stands and the letter boxes from the frontage of the building. Further the alignment and footpath plans have also been assessed and supported by Urban Design unit with conditions of consent.

Traffic

The application was assessed by Council's Traffic Engineer and supported with conditions. The following comments were provided.

"Parking Provision on-site"

1. On-site parking spaces including bicycle and motorcycle spaces are provided in 5 basement levels as indicated below per building:
 - Total parking provision on-site = **615 vehicle spaces** (including 48 adaptable spaces; 14 commercial spaces; 120 visitor spaces)
 - Block A = 277 parking spaces (including 22 disabled parking spaces; 4 commercial spaces; 54 visitor spaces including 1 car share space)
 - Block B = 214 parking spaces (including 16 disabled parking spaces; 5 commercial spaces; 42 visitor spaces including 1 car share space)
 - Block C = 124 parking spaces (including 10 disabled parking spaces; 5 commercial spaces; 24 visitor spaces including 1 car share space)
 - Car share spaces – provided in basement level 1 - 1 car share space for each residential building development containing, therefore 3 car share spaces

Parking Requirements

2. The provision of parking spaces was assessed as per the requirements of PDCP 2011.

Residential component – *"(within 400 metres walking distance of railway station or transit way bus stop with a service frequency of an average of 10 minutes or less during the morning peak hour (7 am - 9 am) in either direction)*
–

- *1 space per 1 or 2 bedroom units plus 1.2 spaces per 3-bedroom units plus 0.25 space per dwelling for visitors; a carwash bay can be used a visitor parking space; plus 1 car share space for each residential development containing more than 50 units;*
- *Car share spaces -*

C.1- 1 car share parking space is to be provided for any residential development containing more than 50 residential units and is within a 800m radial catchment of a railway station or 400m radial catchment of a bus stop with a service frequency of an average of 15 minutes or less during the morning peak (7 am - 9 am) in either direction.

C.3- Car share parking spaces must be publicly accessible at all times, adequately lit and sign posted and located off street.

C.4- 1 car share space can be provided in lieu of 3 car parking spaces.

C.5- Car share spaces must comply with the design principles and standards in Section 3.5.2 of this DCP.

C.6- Written evidence must be provided with the development application demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service.

<i>Description</i>	<i>1- bedroom units (spaces)</i>	<i>2- bedroom units (spaces)</i>	<i>3-bedroom units (spaces)</i>	<i>Visitor spaces</i>	<i>Car share spaces</i>	<i>Total parking spaces</i>
<i>Block A</i>	58	144	16.8 (17)	54	1	274
<i>Block B</i>	25	122	10.8 (11)	39	1	198
<i>Block C</i>	29	52	12	22.75 (23)	1	117
Total	112	318	40	116	3	589

Commercial component - (Granville Town Centre)

- *Minimum of 1 space per 60 square metres of GFA and maximum of 1 space per 30 square metres of GFA*
- *1 loading bay per 400m² GFA*

<i>Description</i>	<i>Area (m²)</i>		<i>Minimum</i>	<i>Maximum</i>
<i>Block A</i>	61	156	3.6 (4)	7.2 (8)
<i>Block B</i>	55	172	3,8 (4)	7.5 (8)
<i>Block C</i>	52	224	4.6 (5)	9.2 (10)
Total	168	552	13	26

Total number required to be provided on-site – 589 parking spaces (residential component) with a minimum of 13 spaces or maximum of 26 spaces for commercial/retail component

Bicycle spaces - Residential and commercial components of the development in accordance with PDCP2011

- *Residential component – 1 bicycle space per 2 dwellings*
- *Commercial/retail – 1 bicycle space per 200m² of GFA*

<i>Description</i>	<i>Residential</i>	<i>Retail/Commercial</i>	<i>Total</i>
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<i>Block A</i>	<i>108</i>	<i>2</i>	<i>110</i>
<i>Block B</i>	<i>78</i>	<i>2</i>	<i>80</i>
<i>Block C</i>	<i>46</i>	<i>2</i>	<i>48</i>
Total	232	6	238

Accordingly, the number of car parking spaces (615 spaces including car share spaces) and bicycle spaces (264 spaces) provided on-site complies with the Parramatta DCP 2011. However, the bicycle spaces provided on-site is deficient by 22 bicycle spaces.

Parking Layout

3. The layout of the parking spaces in basement levels 1 – 5 is generally acceptable.
4. The amended basement plans indicated that retail/commercial parking spaces are located on basement level 5. It is recommended that these spaces be relocated from basement level 5 to basement level 1 or 2 for security reasons, as previously recommended.
5. Car share spaces - The applicant is to clarify if members of the public will be able to access the basement level car parking areas where car share spaces are located.
6. The Applicant shall provide written evidence demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service. The written evidence is to be submitted to Council prior to the release of the construction certificate.
7. The applicant is also required to clarify if the disabled parking spaces provided for the retail/commercial component of the development are accessible by members of the public.
8. The layout of the bicycle and motorcycle spaces in the corresponding basement levels have been amended to comply with AS 2890.1-2004.

Access arrangements

9. Entry and exit driveways are provided for each Block A, B and C. The width of each driveway is 6m and is acceptable. It is noted that the “entry/exit” on each driveway access to the site has been marked incorrectly. The pavement marking on each driveway should be consistent with the pavement directional arrows indicated on the ramp access driveway to the basement level car parking areas.

10. The width of the access ramp driveway of Block A, B and C narrows to a width of 5.5m for the remaining length of the driveway ramp to basement levels 1-5. This is acceptable; however the ramp access driveway is to be line marked to delineate the centre of the access ramp for two-way traffic movements.

Driveway gradients

11. The amended architectural plans (Dwg DA24 0 Revision D – dated 24/08/15) indicated the following driveway gradients:

Block A	Block B	Block C
<p><i>From property boundary to basement level 1:</i></p> <ul style="list-style-type: none"> • 1:20 (5%) for 6m • 1:16 (6.25%) for 4.8m • Flat for 3.6m • 1:8 (12.5%) for 2m • 1:5 (20%) for 13.5m • 1:8 (12.5%) for 2m <p><i>Between basement levels 1-5:</i></p> <ul style="list-style-type: none"> • 1:8 (12.5%) for 2m • 1:5 (20%) for 12.5m • 1:8 (12.5%) for 2m 	<p><i>From property boundary to basement level 1:</i></p> <ul style="list-style-type: none"> • 1:20 (5%) for 6m • 1:16 (6.25%) for 7.13m • Flat for 0.77m • 1:8 (12.5%) for 2m • 1:5 (20%) for 14m • 1:8 (12.5%) for 2m <p><i>Between basement levels 1-5:</i></p> <ul style="list-style-type: none"> • 1:8 (12.5%) for 2m • 1:5 (20%) for 12.5m • 1:8 (12.5%) for 2m 	<p><i>From property boundary to basement level 1:</i></p> <ul style="list-style-type: none"> • 1:20 (5%) for 6m • 1:16 (6.25%) for 3.2m • Flat for 6.2m • 1:8 (12.5%) for 2m • 1:4.5 (≈22%) for 12.45m • 1:8 (12.5%) for 2m <p><i>Between basement levels 1-5:</i></p> <ul style="list-style-type: none"> • 1:8 (12.5%) for 2m • 1:5 (20%) for 12.5m • 1:8 (12.5%) for 2m

12. Note that gradient across the footpath shall be 1:40 (2.5%) maximum. Based on the RLs for Block A and B, as indicated on the driveway details plan, the gradients across the footpath equates to about 4.8%, 5.198%. For Block C, the RLs across the footpath appear to be incorrect (6.70 and 5.88), as the grade equates to 25% with a footpath width of

approximately 3.275m. Accordingly, this is not acceptable. The gradients across the footpath for the 3 buildings shall be modified with a gradient of each site to be 2.5% maximum in accordance with Clause 3.3(d) of AS 2890.1-2004.

Delivery vehicles – Commercial/Retail component

13. The amended ground floor plan (Dwg DA08- Issue D – 24/08/15) indicated one garbage collection/ truck turning bay including a turntable is proposed for each building (Blocks A, B and C). This area is located adjacent to the 'bin room' and the commercial premises in each of the buildings. The submitted Traffic Report indicated that this area will be serviced by vehicles up to and including 8.8m long medium rigid vehicle (MRV).
14. It is recommended that delivery activities to the commercial tenancies and garbage collection be scheduled on different days and times so that deliveries can be carried out on-site. Otherwise, in order to comply with PDOP 20011 and to prevent delivery vehicles from disrupting on street traffic, it is recommended that two dedicated loading bays with dimensions in accordance with Table 4.1 AS 2890.1-2002 are to be provided for the business/ retail component of the development.
15. The submitted Waste Management Plan indicated that "A systemized collection of the bins, by the caretaker, shall allow these bins to be positioned in the main collection area, located at the East Street level of the development, for easy access to the garbage room for collection. Bins will then be returned by the caretaker to their respective positions". This is acceptable and is to be included in the DA Consent.

Columns, Headroom Clearance and On-site Manoeuvring

16. Column locations and headroom clearance –

- Column locations are provided in accordance Clause 5.2 and Figures 5.1 and 5.2 of AS 2890.1-2004.
- The headroom clearances for Blocks A, B and C (as shown on the amended DA plans – Dwg DA24 - Issue D – dated 24/08/15) are provided in accordance with Clause 5.3 of AS2890.1-20004 and Clause 2.4 of AS2890.6-2009.

Block A	Block B	Block C
2.99m	3.058m	2.305m

On-site manoeuvring details in accordance with Appendix B (Clause B3; Figures B3 and B7) of AS 2890.1-2004

17. Swept path plans have not been provided with the Traffic Report. Concern is raised for vehicles exiting from the ramp access driveway from the basement onto the ground floor, particularly for Block C building. The applicant is to be required to submit on-site manoeuvring details to demonstrate that MRV garbage truck (8.8m) can manoeuvre properly into and out of the site in a forward direction and passenger vehicle entering and exiting the site via the ramp access driveway.

Sight Lines

18. Clear sight lines shall be provided in accordance with AS2890.1-2004 to pedestrians and oncoming traffic on East Street for cars exiting the driveway. To comply with Clause 3.2.4 of AS2890.1-2004 the trees or shrubs on the north-western side of the driveways providing access to Blocks A, B and C should not be more than 1.15m above the road surface for a distance of 2.5m along from the property boundary.

Traffic Generation

19. Traffic Generation in accordance with the Roads and Maritime Services (formerly RTA) Guide to Traffic Generating Developments.

Existing development (commercial use x 2 offices)

- Assuming all existing buildings are industrial in nature – 1 peak hour trip per 100m² GFA (@ approx. 7000m²) = 70 trips

Proposed development

- High Density Residential Flat Building (Sub Regional Centres)- 0.29 peak hour vehicle trips per dwelling x 463 = 134.27 (135) vehicle trips per peak hour
- Commercial Premises 2 peak hour trips per 100m² GFA (@720m² GFA) = 14.4 (15) vehicle trips per peak hour

Total traffic generation of proposed development = 150 vehicle trips per peak hour.

Net increase in traffic generation = 80 vehicle trips per peak hour

20. It is estimated that the proposed development will lead to a net increase in the traffic generation of 80 vehicle trips per peak hour. The projected increase in the traffic is consistent with the rezoning objectives of the

surrounding area and is not expected to have a detrimental effect on the surrounding road network.

Recommendation

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

Comments:

The recommendations of the Traffic Engineer are acceptable and will form part of the conditions of consent.

Development Engineer

Council's Development Engineer in his assessment has agreed with the Flood study prepared by the applicant, which is a 2D model and indicates that the subject site would be affected by the 1 in 100 event from higher ground to the west and has supported the development subject to conditions of consent including a freeboard level.

The following comments have been provided;

“DISCUSSION

The Applicant has prepared a comprehensive flood study. This has been modelled 2D/1D with a Tuflow based application and other resources. (See below) This confirms Council's information that the site would not be flooded by mainstream flooding from Duck Creek channel rising from the eastern end of East Street for the 1% AEP event.



Figure 11: Council's map of 1 in 100 and 1 in 20 Flood events.

However this is academic as in such an event, modelling shows that the area surrounding the site will be flooded by overland flow from higher ground to the west and also at the south west and rear of the property adjacent to the railway. The site

as it now is, and after construction of the three buildings, will not be a floodway path, nor subject to high hazard inundation (* when $VxD > 4m^2/s$) for the 1% AEP event.*

The development site, as it is now, is built on and/or partly filled and the model shows some flood storage within the boundary, but mostly to a depth of less than 100 mm.

Post development the proposed footprints of the three blocks would occupy most of the site with negligible flood storage. But the model predicts little real change in adjacent flood levels.

The Applicant therefore believes that the footprint of the new development will not cause a significant increase in local flooding from this source, nor cumulatively, from other similar developments in the area.

Further the applicant also complies with Stormwater and Rainwater management requirements under Water Sensitive Urban Design principles as per the DCP 2011 and Council's Stormwater Disposal Policy of August 2015. "

OTHER POLICIES

Council's Social Impact Assessment Guidelines

The guidelines require Residential Flat buildings with > 100 units to require a Social Impact Assessment statement to be prepared. This has been submitted and appropriate comments provided by Council Officers.

PUBLIC CONSULTATION

In accordance with Council's notification procedures that are contained in Appendix 5 of DCP 2011 owners and occupiers of surrounding properties were given notice of the application for a 21 day period between 12 November 2014 and 3 December 2014. In response 4 submissions were received from the following;

36 Cowper Street, 25 East Street and 11 The Avenue, Granville NSW.

The issues raised in the submissions are as follows.

Issue	Comment
Increased density	The subject site is zoned B4 Mixed use with a FSR of 6:1 providing for additional residential development.
Increased traffic in the area	It is estimated that the proposed development will lead to a net increase in the traffic generation of 80 vehicle trips per peak hour. The projected increase in the traffic is consistent with the rezoning objectives of the surrounding area and is not expected to have a detrimental effect on the surrounding road network. A Traffic Report has been submitted and assessed by Council's Traffic Engineer and the impacts are not considered significant and have been supported.

Lack of parking spaces	The proposed development has reduced the number of residential units however has retained the original level of basement car parking, which is in excess of what is required.
Unacceptable bulk and noise generated	The proposed development complies with the floor space requirements for the site with variations to the maximum permissible height. The subject site is provided with an FSR of 6:1 and the maximum building height of 52m. While the proposed development is well within the permissible FSR, the variations to the height are supported by Council. Further it is also noted that the development is within the area identified under SEPP (Urban Renewal) 2010.
Increased additional residents	The additional increase in the residents will have an impact on the services in the area, however as noted earlier the site is within SEPP (Urban Renewal) 2010 area, with the intention of upgrading of facilities as and when the renewal proceeds.
Construction impacts	Additional conditions of consent will be incorporated which will ensure compliance with legislative requirements when the construction is undertaken.

AMENDED PLANS SUBMITTED

YES

Summary of plan amendments:

- 1) Architectural plans amended to reduce the height of Blocks B and C and the provision of architectural roof features to Blocks A, B and C.
- 2) Architectural plans /Landscape Plans amended to create a pocket garden between Block B and C and also to comply with drainage requirements.
- 3) Amended BASIX and alignment plans.
- 4) Architectural plans amended to create an appropriate streetscape.
- 5) Architectural plan amended to indicate land dedication free of cost to Council with respect to the pocket garden and the right of carriageway for the laneway.

AMENDED PLANS RENOTIFIED?

No

In accordance with Appendix 5 clause 5.5.9 of Council's notification procedures entitled "*Notifications of Amended Development Applications Where the Development Is Substantially Unchanged*" the application did not require re-notification as the amended application is considered to be substantially the same development and does not result in a greater environmental impact.

PARRAMATTA S94A DEVELOPMENT CONTRIBUTIONS PLAN 2008

As the cost of works for development exceeds \$100,000 a Section 94A development contribution of **1.0%** is required to be paid. As the proposed development is for a staged construction the applicant has provided a quantity surveyor report detailing that the cost of works for each stage (in accordance with Section 25 J of the EP&A Regulation) as follows:

Stage	Development Cost	Development Contribution
Stage 1 - Tower A	\$45,535,048	\$455,350.48
Stage 2 – Tower B	\$35,237,506	\$352,375.06
Stage 3 – Tower C	\$22,065,515	\$220,655.15
TOTAL	\$102,838,069	\$1,028,380.69

S94A contributions are calculated at 1% of the cost of development, being **\$1,028,380.69** in total. When proportioned in relation to the proposed stages the contribution is **\$455,350.48** for Stage 1, **\$352,375.06** for Stage 2, and **\$220,655.15** for Stage 3.

A condition of consent will require payment of each stage contribution prior to issue of the Construction Certificate for each stage.

ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

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

SUMMARY & CONCLUSION

The impacts of the development are expected to include:

- Streetscape
- Height variations
- Contamination and Acid Sulphate Soil impacts.
- Provision of a pedestrian access way to the railway corridor in the future.
- Construction noise and dust pollution.
- Traffic and Parking impacts.
- Substation requirements.
- Garbage and waste bin collection.

The impacts are mitigated by:

- The provision of a pocket garden between Blocks B and C and the treatment of the streetscape by the proposed buildings allow for the activation of the street and provide uplift to the existing industrial façade of the street.
- The variations in height being made to the proposed building do not adversely impact any neighbouring properties, there is no overshadowing or privacy related issues.

- Conditions of consent have been incorporated which would ensure appropriate procedures are in place for any contamination if discovered and the management of the acid sulphate soil.
- The desired pedestrian access to the Railway corridor from East Street was included within the PDGP2011 Part 4.1.6. Although a provision of the same has been made, it is envisaged that it will be for future use.
- Conditions of consent will be included within the consent to manage construction times and noise and dust pollution as per existing regulations.
- A traffic report has been provided and assessed by Council's Traffic Engineer and no additional concerns have been raised. The traffic generation due to the proposed development is considered to be acceptable.
- Standard conditions of consent would require the applicant to liaise with the Energy provider since there is an existing substation and an electrical easement within the subject site.
- A private contractor will be required to collect both the domestic and commercial waste from the site and will form part of the conditions of consent.

The merits of the proposal are:

- The proposed 3 blocks respond well to the zoning and density proposed for the site as a B4 Mixed use zone within the Granville Town Centre, which forms part of the SEPP (Urban Growth) 2010.
- The proposed development provides 463 additional residential units, including affordable units, while activating the decrepit existing streetscape of East Street and activates it with commercial tenancies and pocket gardens on the ground floor.
- There is no known additional overshadowing or privacy impacts due to the proposed development.

Conditional consent

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 A – APPROVAL SUBJECT TO CONDITIONS

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

- (a) **That** Sydney West JRPP support the variation to clause 4.3 (Height) of Parramatta Local Environmental Plan 2011 under the provisions of clause 4.6.
- (b) **That** Sydney West JRPP as the consent authority grant development consent to DA/738/2014 for the demolition, staged construction of a mixed use development complex containing three buildings with 6 commercial tenancies and 463 residential units over basement car parking for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the following conditions:

General Matters

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

Drawing No.	Prepared By	Dated
Cover sheet DA00 Issue D	Architex	24 August 2015
Site Analysis, Drawing No.DA01 Issues A	Architex	3 October 2014
Site and Staging Plan Drawing No.DA02 Issues A	Architex	3 October 2014
Basement Level 5 to Level 1 Drawings number DA03 , DA04, DA05, DA06 and DA07, Issue D	Architex	24 August 2015
Ground Floor Plan, Drawing No.DA08 , Issue D	Architex	24 August 2015
Levels 1-3 Plan, Drawing No.DA09 , Issue D	Architex	24 August 2015
Level 4 Plan , Drawing No. DA10, Issue D	Architex	24 August 2015
Levels 5-12 Plan, Drawing No.DA11 , Issue D	Architex	24 August 2015
Levels 13- 14 Plan, Drawing No.DA12 , Issue D	Architex	24 August 2015
Levels 15-16 Plan, Drawing No.DA13 , Issue D	Architex	24 August 2015
Levels 17 -18 Plan, Drawing No.DA14 , Issue D	Architex	24 August 2015
Level 19 Roof terrace plan, Drawing No. DA15 , Issue D	Architex	24 August 2015
Roof plan Drawing No. DA16 ,	Architex	24 August 2015

Issue D		
Typical Unit Layouts Block A Levels 1-3 , Drawing No. DA26 , Issue A	Architex	3 October 2014
Typical Unit Layouts Block A Levels 5-12 and 13-18, Drawing No. DA27 , Issue D	Architex	24 August 2015
Typical Unit Layouts Block B Levels 1-3, Drawing No. DA29 , Issue D	Architex	24 August 2015
Typical Unit Layouts Block B Levels 5-12 and Levels 13-16 , Drawing No. DA29 , Issue D	Architex	24 August 2015
Typical Unit Layouts Block C Levels 1-3 , Drawing No. DA30 , Issue A	Architex	3 October 2014
Site Elevation Plans, Drawing No.DA17, DA18, DA19, DA20, DA 21 , Issue D	Architex	24 August 2015
Site Section Plans , Drawing No. DA22 , Issue D	Architex	24 August 2015
Site Details Drawing No.DA23,DA36 Issue D	Architex	24 August 2015
Driveway Details Drawing No.DA24 , Issue D	Architex	24 August 2015
Shadow diagrams DA33, DA34 and DA35 , Issue A	Architex	24 August 2015
Dedication Plan Ground level DP01, Issue D	Architex	24 August 2015
WSUD/Stormwater Plan, Drawing Nos; For Block A CA00.01 C	ABC Constructions	23 January 2015, 16 July 2015 and

CA01.01 C		17 July 2015.
CA01.11 C		
CA02.01 C		
CA03.01 C		
CA03.11 C		
CA04.01 F		
CA04.11 F		
CA05.01 F		
CA05.11 F		
For Block B		
CB00.01 B	ABC Constructions	10 February 2015 and 17 July 2015.
CB01.01 C		
CB05.11 C		
CB02.01 C		
CB03.01 B		
CB03.11 B		
CB04.01 D		
CB04.11 D		
CB05.01 C		
CB05.11 C		
For Block C		
CC00.01 B	ABC Constructions	10 February 2015 and 17 July 2015.
CC01.01 C		
CC01.11 B		
CC02.01 B		
CC03.01 B		
CC03.11 B		
CC04.01 C		

CC04.11 C CC05.01 C CC05.11 C		
Landscape Plan, Drawing No L01C,L02,L03B, L04A and L05B	Jane Britt design	September 2014 and 26 August 2015
Footpath and Alignment Plans C101.01 to C101.11, Issue F	ABC consultants	28 August 2015
Transport Sydney Trains concurrence letter	Sydney Trains	3 July 2015
Sydney Water letter	Sydney Water	21 November 2014

Document(s)	Prepared By	Dated
Statement of Environmental Effects and Clause 4.6	Think Planners	27 October 2014, 28 August 2015 and 25 September 2015
Acoustic Report	Resonate Acoustics	27 August 2014
Arts Plan	Milne Stonehouse	October 2014
Contamination Report	Douglas Partners	July 2014
Geotech report	Douglas Partners	July 2014
Heritage Report	NBRS+ Partners	October 2014
Traffic Report	Varga Traffic Planning Pty Ltd	13 October 2014
Flood Study	SGC consultants	23 October 2014
Quantity Surveyors Report and addendum	MMDC Consultants	21 October 2014 and 28 August 2015
Social Impact Assessment	Think Planners	23 December

Report		2014
Waste Management Plan	Architex	12 November 2014
Finishes Schedule Block A , B and C	Architex	
BASIX Certificate No.577503M_02, 577508_02 and 577512M_02		19 August 2015

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

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

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

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

3. The development shall be carried out in three stages. The breakdown of stages and applicable conditions by stage are as follows:

Stage 1

- The consolidation of 12 lots being LOT 1 DP 521574, Lots 6 and 7 DP 110142, Lot W X & Y DP 164926, Lot 1 DP 156559, Lot 1 DP 744571, LOT 1 DP 745652, Lot 1 DP 1009146, Pt1 DP 195784 and Lot 1 DP996285, into one lot.
- Demolition of all existing structures on the subject site.
- Construction of Block A building along with associated public domain works.

Stage 2

- Construction of Block B building along with associated public domain works.
- Construction and dedication of the eastern portion of the pocket park and creation of the right of carriageway.

Stage 3

- Construction of Block C building along with associated public domain works.
- Construction and dedication of the western portion of the pocket park.

Conditions and Stages:

Stage	Applicable condition numbers by stage
One (Block A)	1 to 32, 35 to 78 , 87 to 101, 103 to 130 and 133 to 170
Two (Block B)	1 to 8, 9 to 28, 30 to 77, 79 to 82 and 87 to 170
Three (Block C)	1 to 8, 9 to 28, 30 to 77 and 83 to 170

4. Prior to commencement of any construction works and drainage works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Construction Certificate **for Stages 1, 2 and 3**. 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.

5. 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.

6. Separate construction certificates shall be issued for each Stage as per the approved Site and Staging Plan Drawing No.DA02 Issue A by Architex dated 3 October 2014.

Note: Condition No. 44 enables the staging of section 94A development contribution payments on the basis that three separate construction certificates (cc) will be issued. Stage 1 CC (Tower A); Stage 2 CC (Tower B); and Stage 3 CC (Tower C)

Reason: To ensure compliance with the Staging plan.

7. The development shall comply with the conditions of consent provided as Attachment A to the Sydney Trains letter dated 3 July 2015.

Reason: To ensure compliance with Sydney Trains requirements.

8. The development shall comply with the requirements of Attachments 1 and 2 of the Sydney Water letter dated 21 November 2014.

Reason: To comply with Sydney Water requirements.

9. A pre-demolition hazardous building materials survey to identify the location and nature of hazardous building materials shall be undertaken by a practising qualified professional and the report reviewed to the satisfaction of the Principal Certifying Authority prior to issue of Construction Certificate for Stage 1.

Reason: To ensure the site is appropriate the construction.

10. Separate waste processing and storage facilities are to be provided for residential and commercial tenants in mixed use developments. These facilities should be designed and located so that they cannot be accessed by the public, and are accessible by a private waste contractor for collection. A caretaker is to be appointed by the managing body to be responsible for the management of all waste facilities as indicated in the Waste Management Plan.

Prior to the issue of a construction certificate a further report including accompanying plans shall be submitted to the satisfaction of the Principal Certifying Authority that provides details of the private contractor that will be engaged to collect domestic waste from the site. If Council is not the principal certifying authority a copy of this report and accompanying plans is required to be provided to Council. This report shall identify the frequency of collection and provide details of how waste products including paper, aluminium cans, bottles etc, will be re-cycled. Waste collection from the site shall occur in accordance with the details contained within this report.

Reason: To ensure waste is adequately separated and managed in mixed use developments.

11. 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.

12. 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.

13. 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.

14. The site and surrounds are subject to flooding and construction up to the level of 500mm freeboard above the predicted 1% AEP (100ARI) flood levels for each building must be flood proofed and designed, constructed and certified by a qualified structural engineer that it is able to withstand inundation and the forces of moving floodwaters including debris. The structural engineer or a registered surveyor must also certify that minimum habitable floor levels and driveway crests are above this level including the 500mm freeboard. All of this certification must be completed to the satisfaction of the Principal Certifying Authority prior to issue of the Occupation Certificate. For the purpose of this Consent Council, accepts the predicted 1% AEP (100ARI) flood levels for each building as follows:

Block	1% AEP Predicted Flood Level m AHD	Required minimum finished floor and driveway crest levels m AHD
A	5.70	6.20
B	6.30	6.80
C	6.70	7.20

Reason: To ensure flood protection.

15. 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.

Prior to the issue of a Construction Certificate

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

16. Parking spaces 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 Certificates.

Note that the retail/commercial parking spaces located on basement level 5 are to be relocated to basement level 1 or 2 for security reasons.

Description	Residential spaces	Visitor spaces	Car share spaces	Total minimum residential parking spaces	Retail/Commercial spaces	
					Minimum	Maximum
Block A	219	54	1	274	4	8
Block B	158	39	1	198	4	8
Block C	93	23	1	117	5	10
Total	470	116	3	589	13	26

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

17. 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 Certificates.

Description	Residential	Retail/Commercial	Total
Block A	108	2	110

Block B	78	2	80
Block C	46	2	48
Total	232	6	238

Reason: To comply with Council's parking requirements.

18. 23 motorcycle spaces are to be provided on-site and used accordingly. The dimensions and configuration of the motorcycle spaces are to comply with AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's requirements.

19. Delivery activities to the commercial tenancies and garbage collection are to be scheduled on different days and times so that deliveries can be carried out on-site. Otherwise, in order to comply with PDGP 20011 and to prevent delivery vehicles from disrupting on street traffic, it is recommended that two dedicated loading bays with dimensions in accordance with Table 4.1 AS 2890.1-2002 are to be provided for the business/ retail component of the development.

Reason: To prevent delivery vehicles from disrupting on street traffic comply with Parramatta Council DCP 2011.

20. The Applicant shall provide written evidence demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service. The written evidence is to be submitted to Council prior to the release of the construction certificate.

Reason: To comply with Council's parking requirements.

21. Combined entry and exit driveways are to be provided for each Block A, B and C. Each driveway is to be 6m wide and to be marked on the pavement with directional arrows and used accordingly.

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

22. The width of the access ramp driveway (5.5m wide) to basement levels 1-5 (Blocks A, B and C) is to be provided and to be marked on the pavement with directional arrows. The access ramp is to be line marked to delineate the centre of the access ramp for two-way traffic movements.

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

23. Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the basement car parking areas (basement levels 1-5) 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

24. A splay extending 2m from the driveway edges along the front boundary and 2.5m from the boundary along the driveways 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 East 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.

25. The kerb and gutter in front of the site shall be reconstructed in accordance with Council's design standard (DS1) to the full length of the site. The finish levels of the kerb shall be designed to achieve consistent cross falls at no greater than 2.5% on the footpath between the kerb and property boundary. Prior to the issuing of Construction Certificate, the applicant shall submit for Council approval the concept designs of all of this work to demonstrate that they are designed and integrated with the design treatment within the property. This design is to be prepared by the applicant to Council's reasonable requirements and specifications and is to address alignments, levels, drainage, paving and surface treatments, street trees, street furniture, awnings, utilities, kerb ramps, vehicle footpath crossings, pedestrian safety, access etc.

Reason: To ensure the surrounds of the site adequately support and present the development.

26. All the trees in the front setback areas shall be no less than **100 litre** container size. All the shrubs in the front setbacks shall be no less than **25 litres**, while the groundcovers and grasses shall be no less than **200mm** pot sizes. The planting beds shall have no less than **700mm** soil level with free draining soil mixes, in accordance with AS 4419:1998 – Soils for landscaping and garden use, and incorporated with drainage layers and pipes connecting to stormwater or drain. An automatic irrigation system shall be set up for the planting beds. The public domain construction documentation must include the full performance specifications for the installation and operation and submitted prior to the issue of construction certificate.

Reason: To ensure the appropriate streetscape is maintained.

27. Construction and section details of each identical proposed on slab planter boxes showing substrate depth, drainage, waterproofing etc., for ground floor and roof top planter boxes are to be provided with an application for a Construction Certificate. The proposed soil depths are to be certified by the Landscape Architect to meet the requirements of the proposed species to be planted and provided with an application for a Construction Certificate.

Reason: To ensure the creation of functional gardens.

28. Prior to issue of a Construction Certificate the recommendations of the Acid Sulphate Soil Management Plan prepared by Douglas Partners are required to

be to implemented to the satisfaction of the PCA and a copy forwarded to Council.

Reason: To ensure that the subject site is appropriately remediated.

29. The recommendations contained within the Contamination Report 73992.1 dated 10 July 2014 prepared by Douglas Partners shall be fully implemented to the satisfaction of the Principal Certifying Authority with a report on compliance forwarded to Council. Validation / clearance of the site area by a qualified occupational hygienist upon completion of demolition and removal of the buildings, confirming that there are no residual asbestos containing materials or other hazardous materials remaining on the site. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill. This shall be completed prior to issue of the Construction Certificate for Stage 1.

Reason: To ensure the site is suitable for residential use.

30. Prior to the issue of a Construction Certificate a further report including accompanying plans shall be submitted to the satisfaction of the Principal Certifying Authority that provides details of the private contractor that will be engaged to collect domestic waste from the site. If Council is not the principal certifying authority a copy of this report and accompanying plans is required to be provided to Council. This report shall identify the frequency of collection and provide details of how waste products including paper, aluminium cans, bottles etc., will be re-cycled. Waste collection from the site shall occur in accordance with the details contained within this report.

Reason: To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.

31. Electricity provision within the site is to be designed so that in the future the electrical connection from this site can be made to an underground connection within the street. Certification from an energy provider addressing their requirements for this provision is to be forwarded to the Certifying Authority with the application for a Construction Certificate. 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.

32. Prior to the issue of the Construction Certificate, a set of detailed **Public Domain Construction Plans** and **Landscape Construction Plan** must be

submitted and approved by Council for all the works within the public domain at each stage of the development, which consist of the following areas:

- All the frontages of the development site between the gutter and building line, including footpath, drainage, forecourt, and front setback areas;
- The public pocket park over Block B & C.

The public domain construction documentation and specifications shall be prepared in accordance with the following:

- The latest Parramatta City Council Public Domain Guidelines and paving strategy for Granville Town Centre;
- The approved site and ground floor plans; and
- All the listed conditions in this consent.

Reason: To ensure the approved works are consistent and required amendments are addressed in accordance with Council's Policy.

33. The proposed landscape works in the pocket park shall be of low maintenance species. The proposed plantings, including the trees in the raised garden beds, need to be reviewed to ensure this public space requiring minimum maintenance by Council. The revised design of the pocket park including details of the paving treatment shall be submitted to Council for approval prior to the issue of CC.

Reason: To improve accessibility in the public domain and comply with AS 1428.1

34. Each portion of the pocket park to be dedicated to Council at Stages B and C in accordance with the approved plan at Condition 1 shall be constructed in according to finish levels showing in the approved architectural plans and landscape plans to ensure a levelled surface across the entire pocket park. Localised adjustment of levels to suit building entries is not permitted in the dedicated area. Set out of the pavers shall be compatible with the portion constructed at earlier stage. No localised adjustment of levels to suit building entries shall occur in the pocket park.

Reason: To improve accessibility in the public domain and comply with AS 1428.1

35. The latest Granville Town Centre Paving standards shall be applied on the footpath upgrades in East Street to the full length of the development site. This includes the public footpath, and the dedicated pedestrian through-site link. The footpath is to be fully paved with a mix of granite flagstone and asphalt, or similar, subject to Council's advice.

Any works in the public land from the property boundary to the kerb shall be constructed as per Council's advice and specification. Planting beds or non-

standard paving treatment shall not be constructed in the public land without Council's approval.

Reason: To improve accessibility in the public domain and comply with AS 1428.1

36. The kerb and gutter in front of the site shall be reconstructed in accordance with Council's design standard (DS1) to the full length of the site. The finish levels of the kerb shall be designed to achieve consistent cross falls at no greater than 2.5% on the footpath between the kerb and property boundary.

Reason: To improve accessibility in the public domain and comply with AS 1428.1

37. TGSIs (Tactile Indicators) must be used on the public footpath complied with the AS 1428.1 and the requirements in the Public Domain Guidelines. The TGSIs must be installed in the following locations:

- Three (3) driveway crossings outside Blocks A, B & C;
- Pedestrian crossing outside the public pocket park.

Reason: To improve accessibility in the public domain and comply with AS 1428.1

38. Prior to the issuing of the Construction Certificate details are to be submitted to the Principle Certifying Authority that the footings and slabs of the development have been designed to withstand the impacts of salinity. The design of the development is to take into consideration the guidelines within the Department of Infrastructure, Planning and Natural Resources document -Western Sydney Salinity Code of Practice 2003.

Reason: To ensure appropriate safeguards against salinity.

39. Eighteen (18) new street trees at approx. spacing of 8m shall be planted in accordance with the latest street tree set out and details for Granville Town Centre that is to be provided by Council prior to the issue of Construction Certificate.

Reason: To ensure street trees are planted in appropriate locations.

40. The six (6) rain gardens in the front setback of the buildings shown in the Landscape Plan & Plant Schedule (dated 26 August 2015 and prepared by Jane Britt Design) are **inconsistent with** the final Architectural Plans and Stormwater Drainage Plans. Amended plans shall be approved by the Principal Certifying Authority prior to issue of construction certificate.

All the raised garden beds and walls shall be removed or lowered to ensure maximum landscape features contributing to the streetscape. The walls along the property boundary shall be **no greater than 300mm** in height.

Reason: To ensure the development is in compliance with approved plans.

41. All the trees in the front setback areas shall be no less than **100 litre** container size. All the shrubs in the front setbacks shall be no less than **25 litres**, while the groundcovers and grasses shall be no less than **200mm** pot sizes.

The planting beds shall have no less than **1000mm** soil level with free draining soil mixes, in accordance with AS 4419:1998 – Soils for landscaping and garden use, and incorporated with drainage layers and pipes connecting to stormwater or drain. An automatic irrigation system shall be set up for the planting beds. The public domain construction documentation must include the full performance specifications for the installation and operation.

Reason: To ensure appropriate amenities are provided.

42. 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.

43. 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.

44. A monetary contribution comprising **\$1,028,380.69** is payable to Parramatta City Council pursuant to Section 94A of the Environmental Planning and Assessment Act, 1979 and the Parramatta Section 94A Development Contributions Plan (Amendment No. 4). Payment must be by EFTPOS, bank cheque or credit card only. The contributions are to be paid to Council as follows:

- **\$455,350.48** is to be paid to Council prior to the issue of a **Construction Certificate** for Stage 1 (Tower A).
- **\$352,375.06** is to be paid to Council prior to the issue of a **Construction Certificate** for Stage 2 (Tower B).
- **\$220,655.15** is to be paid to Council prior to the issue of a **Construction Certificate** for Stage 3 (Tower C).

The contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. Indexation will be applied on the outstanding balance until the final payment is made.

Parramatta Section 94A Development Contributions Plan (Amendment No. 4). 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.

45. 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.

46. 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 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.

47. In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds payable to Council for the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application/approval associated with the allotment, (being a Hoarding

application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate is not required.

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/738/2014;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

Bond Type	Amount
Hoarding	\$5000
Street Furniture	\$2000
Nature Strip and Roadway	\$20,000

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

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

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

48. Service ducts, plumbing installations and plant servicing the development must be concealed within the building to keep external walls free from service installations. This shall include illuminated ventilation for all kitchens. 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.

49. 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.

50. 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.

51. The development must incorporate 49 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.

52. All roof water and surface water is to be connected to an approved drainage system. Details are to be shown on the plans and documentation accompanying the application for a Construction Certificate.

Reason: To ensure satisfactory stormwater disposal.

53. To minimise the impact of noise from the adjoining major road or rail corridor on the occupants of the building it shall be acoustically designed and constructed to meet the requirements of AS3671-1989 (Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction), AS 2107-2000 (Recommended design sound levels and Reverberation times in Building interiors), the NSW Environment Protection Authority's Environmental Criteria for Road Traffic Noise and the Environmental Noise Control Manual (Sleep Disturbance).

A report from an appropriately qualified person that these acoustic and vibration design requirements will be met shall be provided to the satisfaction of the PCA prior to the issue of a Construction Certificate.

Reason: To ensure a suitable level of residential amenity not affected by excessive noise and vibration from surrounding activities.

54. The recommendations outlined in the acoustic report prepared by Resonate Acoustics dated 27 August 2014 shall be incorporated into the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure a suitable level of residential amenity.

55. External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

Reason: To have a minimal impact on the neighbouring property.

56. Sanitary facilities including showers must be provided within the development and made accessible without charge to cyclists who work in each of the buildings. Details must be provided with the plans and specifications accompanying the application for a Construction Certificate.

Reason: To promote and provide facilities for alternative forms of transport.

57. Cigarette butt receptacles must be provided during the construction stage of the development. The receptacles are to be placed adjacent to designated break room/area of the site. Details of the receptacles must be included within the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure that adequate provision is made for the disposal of cigarette butts to prevent littering of the public domain.

58. All outdoor lighting must comply with the relevant provisions of AS/NZS 1158.3: 1999 Pedestrian Area (Category P) Lighting and AS 4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Details demonstrating compliance with these requirements must accompany the Construction Certificate application and be to the satisfaction of the Certifying Authority.

Reason: To provide high quality external lighting for security without adverse affects on public amenity from excessive illumination levels.

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

Reason: To minimise impact on adjoining properties.

60. The approved plans must be submitted to a Sydney Water Quick Check agent or Sydney Water 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. This process will result in the plans being appropriately stamped.

The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to the issue of any Construction Certificate and works commencing on site.

Notes: For Quick Check agent details please refer to the web site www.sydneywater.com.au – see Building and Developing – then Quick Check or telephone 13 20 92. For Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing - then Building and Renovating or telephone 13 20 92.

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

61. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to receive written confirmation from NDBYD that the

proposed excavation will not conflict with any underground utility services. The person/s having the benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

Reason: To ensure Council's assets are not damaged.

62. The basement stormwater pump-out system, must be designed and constructed to include the following:
- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
 - (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - (i) The permissible site discharge (PSD) rate; or
 - (ii) The rate of inflow for the one hour, 5 year ARI storm event.
 - (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
 - (d) A 100 mm freeboard to all parking spaces.
 - (e) Submission of full hydraulic details and pump manufacturers specifications.
 - (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

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

Reason: To ensure satisfactory storm water disposal.

63. All cleaning and washing of motor vehicles must be carried out in a designated area and must be drained to a sump and cleansed via a coalescing plate separator prior to discharge into the sewer. Documentary evidence is required from the Trade Waste Section of the Sydney Water Corporation Ltd confirming satisfactory arrangements have been made with the Corporation with respect to the disposal of dirty water into the sewerage system, prior to the issue of the Construction Certificate.

Reason: To ensure satisfactory storm water disposal.

64. The building must be designed and certified by a suitably qualified practicing engineer to ensure the building does not fail due to flooding.
A Flood Evacuation & Management Plan must also be prepared by a suitably qualified professional.

The design and certification of the building and the Flood Evacuation & Management Plan must be prepared and submitted with the application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure the structure can withstand flooding events.

65. The buildings must include a flood warning alarm system activated by a float valve. Details must be provided with the Construction Certificate plans and documentation to the satisfaction of the Certifying Authority.

Reason: To ensure the flood warning system is installed.

66. Where shoring will be located on or will support Council property, engineering details of the shoring are to be prepared by an appropriately qualified and practising structural engineer. These details are to include the proposed shoring devices, the extent of encroachment and the method of removal and de-stressing of the shoring elements. These details shall accompany the application for a Construction Certificate. A copy of this documentation must be provided to Council for record purposes. All recommendations made by the qualified practising structural engineer must be complied with.

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

67. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing numbers [DS9 & DS10]. Details must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

A Vehicle 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.

68. All mechanical exhaust ventilation from the basement car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1 - 1998 – 'The use of ventilation and air conditioning in buildings' – 'Fire and smoke control in multi-compartmented buildings'. Details showing compliance are to accompany an application for a Construction Certificate.

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

69. Where a security roller shutter or boom gate prevents access to visitor car parking, an intercom system is required to be installed to enable visitor access to the car parking area. Details of the system and where it is to be located is to accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority. If an intercom or security access card to the basement level car park is installed, it is to be provided at the centre of the driveway (not attached on the wall) in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.

Reason: To ensure visitor car parking is accessible.

70. Where work is likely to disturb or impact upon a utility installations, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the proposed works must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

71. Council property adjoining the construction site must be fully supported at all times during all demolition, excavation and construction works. Details of any required shoring, propping and anchoring devices adjoining Council property, are to be prepared by a qualified structural or geotechnical engineer. These details must accompany an application for a Construction Certificate and be to the satisfaction of the Principal Certifying Authority (PCA). A copy of these details must be forwarded to Council prior to any work being commenced. Backfilling of excavations adjoining Council property or any void remaining at the completion of the construction between the building and Council property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure.

72. The proposed kerb inlet pit must be constructed in accordance with Council Standard Plan No. DS21. Details are to form part of the Construction Certificate documentation.

Reason: To ensure appropriate drainage.

73. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 (2004) – "Off-street car parking" to prevent the underside of the vehicles scraping. Details are to be provided with the application for a Construction Certificate.

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

74. 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.

75. 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.

76. 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.

77. Construction and section details of each identical proposed on slab planter boxes showing substrate depth, drainage, waterproofing etc., for ground floor and roof top planter boxes are to be provided with an application for a Construction Certificate. The proposed soil depths are to be certified by the Landscape Architect to meet the requirements of the proposed species to be planted and provided with an application for a Construction Certificate.

Reason: To ensure the creation of functional gardens.

78. Based on the RL for Block A indicated on the amended driveway details (Dwg D424 – Issue D – dated 24/08/2015), the gradient across the footpath (4.8%) is to be modified to 1:40 (2.5%) maximum in accordance with Clause 3.3(d) of AS 2890.1-2004. Details are to be provided with the application for a Construction Certificate.
Reason: To comply with Australian Standards.
79. Based on the RL for Block B indicated on the amended driveway details (Dwg D424 – Issue D – dated 24/08/2015), the gradient across the footpath (5.198%) is to be modified to 1:40 (2.5%) maximum in accordance with Clause 3.3(d) of AS 2890.1-2004. Details are to be provided with the application for a Construction Certificate.
Reason: To comply with Australian Standards.
80. Access to the bicycle spaces adjacent to the car share space (V1) in basement level 1 (Block B) is to be widened to 1.5m to provide adequate access into and out of the bicycle spaces. Details are to be provided with the application for a Construction Certificate.
Reason: To comply with Australian Standards and ensure appropriate manoeuvring is provided.
81. Access to the storage spaces adjacent to parking space R135 (Block B – Basement level 2) is to be widened to 1.2m; and adjacent to parking space R126 (Block B – Basement level 2) is to be widened to 1.5m. Details are to be provided with the application for a Construction Certificate.
Reason: To comply with Australian Standards and ensure appropriate manoeuvring is provided.
82. Access to the storage spaces adjacent to parking spaces R6 and R7 (Block B – Basement level 5) is to be widened to 1.2m. Details are to be provided with the application for a Construction Certificate.
Reason: To comply with Australian Standards and ensure appropriate manoeuvring is provided.
83. Parking space C5 on the ground floor (Block C) adjacent to the residents bin room is to be relocated due to access problem. Details are to be provided with the application for a Construction Certificate.
Reason: To comply with Australian Standards.
84. The number of bicycle spaces to be provided in the basement level 2 (Block C) near lifts 7 and 8 are to be provided and identified accordingly.
Reason: To comply with Council's parking requirements.
85. Stacked parking spaces R1 - R4 in Block C – basement level 5 are to be marked for staff parking only. Details are to be provided with the application for a Construction Certificate.
Reason: To comply with Australian Standards.

86. Stacked parking spaces C1 - C4 in Block C – basement level 5 are to be marked for staff parking only. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards.

87. All individual parcels of land holding a separate title within the development site must be consolidated into one lot. A plan of consolidation must be registered with the Land and Property Information Division of the Department of Lands, prior to Stage 1 Construction Certificate being issued.

Reason: To comply with the Conveyancing Act 1919.

Prior to Work Commencing

88. 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.

89. 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.

90. 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.

91. Prior to work commencing, adequate toilet facilities are to be provided on the work site.

Reason: To ensure adequate toilet facilities are provided.

92. 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 are 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.

93. Prior to the commencement of work, 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.

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

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

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

95. The applicant must apply for a road-opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas).
No drainage work can be carried out within the Council owned land without this permit being issued. A copy is required to be kept on site.

Reason: To protect Council's assets throughout the development process.

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

The report must include a photographic survey of the adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer in accordance with the recommendation of the geotechnical report. A copy of the dilapidation report must be submitted to Council.

In the event access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principle Certifying Authority.

Note: This documentation is for record keeping purposes only, and can be made available to an applicant or affected property owner should it be requested to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

Reason: Management of records.

97. Prior to the commencement of any excavation works on site the applicant must submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:

- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
- (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.

- (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
- (d) The impact on groundwater levels in relation to the basement structure.
- (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from 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 potential for the excavation to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

- (f) The recommendations resulting from the investigations are to demonstrate the works can be satisfactorily implemented. An implementation program is to be prepared along with a suitable monitoring program (where 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 for the various stages of the works in order verify the design intent before certification can be issued and before proceeding with subsequent stages.

The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydrogeological engineer with demonstrated 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 properties and structures both during and after construction. The report must contain site specific geotechnical recommendations and must specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:

- (i) No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- (ii) No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (iii) No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (iv) Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
- (v) Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.

- (vi) An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table CI of AS 2870 - 1996.

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

98. Details of the proposed 450mm nom. diameter reinforced concrete pipe-work pits and connections within East Street shall be submitted for Council's City Works Unit approval prior to commencement of any work.

Reason: To ensure adequate stormwater infrastructure is provided.

99. Erosion and sediment control measures are to be installed in accordance with the publication 'Urban Stormwater: Soils and Construction "The Blue Book" 2004 (4th edition) prior to the commencement of any demolition, excavation or construction works upon the site. These measures are to be maintained throughout the entire works.

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

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

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

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

101. 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:

- (a) Protect and support the adjoining premises from possible damage from the excavation
- (b) 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.

102. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The

applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

The application is to be lodged with Council's Customer Service Centre.

Reason: Proper management of public land.

103. All works associated with the construction and/or extension of a driveway crossover/layback within Council owned land requires an application to be lodged and approved by Council.

All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

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

Note 1: This development consent is for works wholly within the property. Development consent does not imply approval of the footpath or driveway levels, materials or location within the road reserve,

regardless of whether the information is shown on the development application plans.

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

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

During Work

104. 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 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.

105. A Waste Data file is to be maintained, recording building/demolition contractor's details and waste disposal receipts/dockets for any demolition or construction wastes from the site. 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.

106. A range of inspections will be carried out by Council staff during the construction phase. The applicant must contact Council's Inspection Officer (or Public Domain Officer) for each inspection listed below. At least **48 hour** notice must be given for all inspections.

The required inspections include the followings:

- Commencement of public domain works including tree protection measures installed and set out of tree pits;
- Excavated tree pits with required root barrier (or soil cells) and sub-drainage installed as specified. Procured soil media specifications and docket receipts to be signed at this inspection;
- Installation of the required underground conduit and completion of subgrade preparation for pavements and prior to commencement of concrete slab installation;
- Trees delivered to site and prior to planting. Trees are to be installed within 24 hours of delivery;
- Completion of concrete slabs and set out/location of furniture installation;
- Completion of unit paving and furniture installation. Manufacturer's warranty and maintenance information for all proprietary products shall be provided to Council's Inspection Officer ; and
- Completion of paving sealant application and tactile indication installation as per Council's specification.

■
The inspection regime for the dedicated pocket park will be advised at the approval of the Public Domain Plans and landscape plans.

Reason: To ensure the quality of public domain works complying with Council standards and requirements.

107. 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.

108. 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.

109. 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.

110. 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.

Reason: To protect the amenity of the area.

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

- (a) The date and time of the complaint;
- (b) The means by which the complaint was made;
- (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that effect;
- (d) Nature of the complaints;

- (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
- (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

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

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

112. 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 peak particle velocity (PPV) when measured at the footing of any nearby building.

Reason: To protect the amenity of the area.

113. 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.

114. Works are not to result in sedimentation and or run-off from the approved works onto the adjoining properties and or public lands. The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

Reason: To ensure no adverse impacts on neighbouring properties.

115. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

Reason: To protect public safety.

116. A footpath is to be constructed in accordance with Council Standards in front of the site within the road reserve. Details of the proposed footpath works shall be submitted to and approved by Council's Civil Asset Team prior to commencement of footpath works. All costs are to be borne by the applicant.

Reason: To provide pedestrian passage.

117. If appropriate, standard Kerb Ramps 1500mm wide are to be constructed at intersections in accordance with Council Plan No. DS4. Details must be submitted to and be approved by Council prior to construction of other works along the frontage. All costs must be borne by the applicant.

Reason: To provide adequate access.

118. Car parking area and internal access ways must be constructed, marked and signposted in accordance with AS2890.1 –2004 'Off Street Car Parking Facilities' prior to an Occupation Certificate being issued.

Reason: To ensure appropriate car parking.

119. 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

120. 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.

121. No trees on public property (footpaths, roads, reserves, etc.) are permitted to be removed, pruned or damaged during construction including the installation of fences, hoardings or other temporary works, unless approved in this consent.

Reason: Protection of existing environmental infrastructure and community assets.

122. No materials (including waste and soil), equipment, structures or goods of any type are to be stored, kept or placed within 5m of the trunk of a tree or within the drip line of any tree.

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

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

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

124. All trees supplied above a 25L container size must be grown and planted in accordance with:

(a) Clarke, R 1996 Purchasing Landscape Trees: A guide to assessing tree quality.

(b) Natspec Guide No.2.

Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown to Natspec guidelines. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

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

125. Trees to be removed are:

Tree No.	Species	Common Name	Location
1x	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Within No. 42 East street boundaries

Reason: To facilitate development.

126. All trees planted within the site must be of an adequate root volume and maturity so as not to require staking or mechanical support. Planting must be carried out in accordance with the planting and growth requirements of Council's Standard Drawing DS39.

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

127. 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.

128. A noise management plan must be submitted to Council for approval prior to any work commencing and complied with during any construction works. The plan must be prepared by a suitably qualified person, who possesses qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

The plan must include, but not be limited to the following:

- (a) Confirmation of the level of community engagement that has is and will be undertaken with the Building Managers/occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (b) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties during the main stages of work at neighbouring noise sensitive
- (c) What course of action will be taken following receipt of a complaint concerning site noise, dust and vibration?
- (d) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring properties to a minimum.
- (e) What plant and equipment is to be used on the site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring properties and other less intrusive technologies available.

Reason: To maintain appropriate amenity to nearby occupants.

Prior to the issue of an Occupation Certificate

129. The pocket park depicted in the submitted architectural drawing titled 'Dedication Plan Ground Level DP01' - Issue D, prepared by Architex, dated 24 August 2015 and received by Council on 24 September 2015 shall be

dedicated to Council at no cost as a public place. The right of carriage way also depicted in the Dedication plan shall be created and embellished at no cost to the Council. This is to be reflected appropriately in the title arrangements, which shall incorporate the following: -

- i. A temporary fenced communal open space for the occupants of Blocks B and C is to be created on the southern side of the pocket park. This open space will not be accessible by the public until (ii) below occurs.
- ii. Upon construction of a new pedestrian bridge or other link to the railway line, which can be accessed directly by the right of carriage way, this right of carriage way shall provide for full public access without restrictions by removing the fencing.
- iii. The pocket park and right of carriage way area is to be formed as one pedestrian link connecting East Street and the railway corridor. A Stratum Plan shall be prepared clearly indicating the delineation of the pocket park (excluding the existing electrical easement) and the right of carriageway for future pedestrians and indicated on the final linen plans submitted for subdivision.

Note: The right of carriage way shall be subject to Council requirements.

Reason: To provide amenity.

130. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.

Reason: To ensure Council's assets are appropriately constructed.

131. Prior to issue of an Occupation Certificate a subdivision plan to create a stratum lot for the pocket garden and the right of carriageway for dedication to Council, as detailed in architectural drawing No DP01, Revision D dated 28 August 2015 by Architex shall be registered with NSW Land and Property Information. If required, an easement of mutual support for the pocket park and private basement car park shall also be created and registered.

Reason: To ensure dedication of pocket park to Council.

132. The proposed right of carriageway south of the pocket park as detailed in architectural drawing No DP01, Revision D dated 28 August 2015 by Architex shall be maintained by the owner of the land burdened until such time the proposed right of carriageway is open to public access. A covenant shall also be registered over the proposed right of carriageway, which will require fences

and any other structures located within the proposed right of carriageway to be removed by the owner as and when required by Council.

Reason: To ensure dedication of right of carriage way to Council.

133. Prior to the issue of the occupation certificate, convex mirrors are to be installed within the ramp access for basement levels 1-5 (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.

134. Eighteen (18) new street trees at approx. spacing of 8m shall be planted in accordance with the latest street tree set out and details for Granville Town Centre as provided by Council prior to the issue of Occupation Certificate.

The required street tree species, quantities and supply stocks are:

Street Name	Botanical Name	Common name	Pot Size	Qty
East Street	<i>Waterhousia floribunda</i> 'Green Avenue'	Weeping Lilly Pilly	200L	18

The tree supply stock shall comply with the guidance given in publication *Specifying Trees: a guide to assessment of tree quality* by Ross Clark (NATSPEC, 2003). The requirements for height, calliper and branch clearance for street trees are as below table:

Container Size	Height (above container)	Caliper (at 300mm)	Clear Trunk Height
200 litre	3.6 metres	60mm	1.5 metres

Reason: To ensure street trees are planted in appropriate locations.

135. The Arts Plan is to be completed in full (as outlined in the Art in the Public Domain Guidelines) and approved by Council prior to issue of Occupation Certificate. The amended arts plan shall undertake the following;

- a) Priority should be given to works in the under crofts, which interact with the street, and are directly available to passers-by.
- b) Explore potential to create a work visible from passing trains.
- c) Possible exploration of alternative themes, in the connection to early railway history and the nearby convergence of rail tracks.
- d) The proposal offer both daylight and night-time experiences of the works.
- e) On completion of the artwork design stage, the applicant shall 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.

- f) The arts works shall be completed in full in line with the documentation submitted and the artworks installed to the satisfaction of the Council.

Reason: To ensure compliance with Council's DCP requirements.

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

Note: For more information contact NBN Co.;

Development Liaison Team:

Call 1800 881 816;

Email: newdevelopments@nbnco.com.au;

Web: www.nbnco.com.au/NewDevelopments.

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

137. Prior to **any issue** of the Occupation Certificate (including interim OC), the public domain construction works must be completed to Council's satisfaction and a **final approval** shall be obtained from Council's Assets & Urban Design teams.

Council shall issue the **final approval** for the finished public domain works that complied with the approved public domain documentations and Council's satisfaction. A **final inspection** will be conducted by Council staff after all the works are completed and the defects identified during inspections are rectified. The Certificate of Completion shall not be issued until Council's final approved is obtained.

The **Work-as-Executed Plans** shall be prepared and submitted to Council showing the final-approved public domain works after the final approval, and prior to any issue of the OC.

A **52 weeks** maintenance period is required to be carried out by the applicant for all the works constructed in the public domain.

Reason: To ensure the quality of public domain works is completed to Council's satisfaction

138. 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.

139. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority responsible for

the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:

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

Reason: To comply with statutory requirements.

140. 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.

141. 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 Certificates No. 577503M_02, 577508_02 and 577512M_02, will be complied with prior to occupation

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

142. 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.

143. 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.

144. 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.

145. 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.

146. 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.

147. 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.

148. Proof of completion of footpath construction work shall be submitted to the satisfaction of Council prior to release of the Occupation Certificate.

Reason: To provide pedestrian passage.

149. Works-As-Executed stormwater and landscape plans are to be prepared and 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) Certificate of Compliance from the Landscape Architect certifying that all of the rain gardens and other landscape-related water sensitive urban design installations approved in this Consent have been constructed as designed
- (d) Certificate of Compliance from a qualified drainage / hydraulic engineer certifying that all of the rain gardens, stormwater harvesting system, other water sensitive urban design installations and other stormwater drainage

have been constructed generally in accordance with the approved Consent drawings and will work as intended.

The above is to be submitted to the Principal Certifying Authority for approval prior to the issue of an Occupation Certificate and a copy of the documentation approved by the Certifier is to accompany the Occupation Certificate when lodged with Council.

Reason: To ensure works comply with approved plans and function as intended.

150. Prior to the issue of an Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E or 88B of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the rainwater and stormwater management system on the lot including the rainwater harvesting and landscape rain gardens.

The terms of the instruments are to be adapted from 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 may 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 rainwater and stormwater management system.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to Occupation or use of the site.

Reason: To ensure maintenance of the stormwater and rainwater management system in perpetuity.

151. A Section 73 Compliance Certificate under the Sydney Water Act 1994 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.

152. 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.

153. A separate application must be made for a subdivision certificate.

Reason: To comply with the requirements of the Environmental Planning and Assessment Act 1979 (as amended).

154. An evacuation report and procedure shall be prepared by an appropriate consulting engineer. This report is to demonstrate how the occupants of the development will egress the site in the early stages of a storm event, together with how they will seek refuge in a peak stormwater event (i.e. first floor of the building etc.). The report shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. A copy of the report shall be attached to the Occupation Certificate when forwarded to Council.

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

155. 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.

156. Proof of completion of the Kerb Ramp must be submitted to the satisfaction of the Council prior to the issue of an Occupation Certificate.

Reason: To provide adequate access.

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

- (c) Council's Development Application number; and
- (d) 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.

158. 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.

The Use of the Site

159. 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.

160. 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.

161. 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.

162. The property owner/body corporate is to ensure the flood warning system is in good working order, through regular testing and maintenance.

Reason: To ensure the integrity of the flood warning system.

163. 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.

164. Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.

Reason: To minimise noise impact of mechanical equipment.

165. All loading and unloading must:

- (a) take place within the designated loading areas on the subject property, or
- (b) take place within the approved loading dock to minimise disruption of public spaces, and
- (c) is to be carried out wholly within the site

Reason: To protect the amenity of the neighbourhood.

166. A separate development application is required for the initial use of the retail premises unless the use is permissible under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Reason: To ensure compliance with legal requirements.

167. The hours of operation of the ground floor retail/commercial premises are restricted to 7am to 7pm daily.

Reason: To minimise the impact of the use on adjoining properties.

168. 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.

169. The roller shutter door at the driveway entry and exit to Blocks A, B and C site on the ground floor is to be modified and located at a distance of 6m from the property boundary to comply with Clause 3.3 (b) of AS 2890.1-2004. In accordance with Clause 3.4 of AS 2890.1-2004, at an entry point, the queuing area to be provided between the roller shutter door and the property boundary shall be sufficient to allow free influx of traffic which will not adversely affect traffic or pedestrian flows along East Street.

Reason: To comply with Australian Standards and ensure that adequate queuing area is available to allow free influx of traffic which will not adversely affect traffic or pedestrian flows along East Street.

170. If the roller shutter door is installed on the ground floor, as shown on the amended DA plans for Blocks A, B and C, it is to be left open between 7am and 7pm each day.

Reason: To comply with Australian Standards and ensure that adequate queuing area is available to allow free influx of traffic which will not adversely affect traffic or pedestrian flows along East Street.

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