

JRPP No.	2016SYW012
DA Number	DA/393/2015
Local Government Area	Parramatta City Council
Proposed Development	Tree removal, demolition of storage sheds, removal of demountable buildings, landscaping works and alterations and additions to the existing educational establishment including construction of 6 new student accommodation buildings, library, dining hall, chapel, gymnasium, academic teaching space, maintenance facility, and 90 parking spaces (65 at grade and 25 basement).
Street Address	119 Rausch Street, Toongabbie NSW 2146. (Lot 111 DP 749237)
Applicant/Owner	Applicant - Gardner Wetherill & Associates Owner - Campion Foundation Limited
Number of Submissions	1 petition with 40 household signatures and 5 submissions from individual households from the original notification. 1 submission from the second round of notification.
Regional Development Criteria (Schedule 4A of the Act)	Pursuant to Clause 3 of Schedule 4A of the Environmental Planning and Assessment Act 1979, the development has a capital investment value of more than \$20 million
List of All Relevant s79C(1)(a) Matters	State Environmental Planning Policy No. 65, State Environmental Planning Policy No. 55, State Environmental Planning Policy (Infrastructure) 2007, Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005, Parramatta City Centre Local Environment Plan 2007.Parramatta Development Control Plan 2011.
Recommendation	Approval subject to conditions
Report by	Sasi Kumar Senior Development Assessment Officer

ASSESSMENT REPORT

S79C – Environmental Planning & Assessment Act 1979

SUMMARY

Application details

DA No:	DA/393/2015
Assessment Officer:	Sasi Kumar
Property:	119 Rausch Street, Toongabbie NSW 2146. (Lot 111 DP 749237)
Proposal:	Tree removal, demolition of storage sheds, removal of demountable buildings, landscaping works and alterations and additions to the existing educational establishment including construction of 6 new student accommodation buildings, library, dining hall, chapel, gymnasium, academic teaching space, maintenance facility, and 90 parking spaces (65 at grade and 25 basement).
Date of receipt:	30 June 2015
Applicant:	Gardner Wetherill & Associates
Owner:	Campion Foundation Limited
Submissions received:	1 petition with 40 household signatures and 5 submissions from individual households from the original notification. 1 submission from the second round of notification.
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor.
Issues:	Drainage, potential localised contamination, submissions and heritage.

Recommendation: Approval subject to conditions.

Legislative requirements

Zoning: R2 Low Density Residential

Permissible under: Parramatta Local Environmental Plan 2011 (PLEP 2011)

Relevant legislation/policies: Parramatta Development Control Plan 2011
Section 94A Plan, Infrastructure SEPP, Sydney Harbour Catchment SREP, SEPP 55, and Policy for the Handling of Unclear insufficient and amended development applications

Variations: Clause 4.3 – Maximum permissible height variation under Clause 4.6 of PLEP 2011.

Integrated development: No

Crown development: No

The site

Site Area: 41970m²

Easements/rights of way: A drainage easement to the north eastern corner of the site.

Heritage item: Yes

In the vicinity of a heritage item: No

Heritage conservation area: No

Site History:

DA/1920/2003

Stage 1 development consent approved on 1 November 2004 for the establishment of tertiary college including: -

- Establishment of a tertiary educational establishment
- Removal of trees
- Landscaping works
- Stormwater drainage works
- Construction of car parking and internal driveways

The Stage 1 application also detailed the following works to be included as part of subsequent development applications to be lodged under separate cover: -

- Refurbishment of existing buildings
- Construction of new buildings that will form different stages of development of the campus.

DA/540/2012

Deferred commencement approval granted on 13 September 2013 for alterations and additions to a tertiary educational establishment including the construction of an attached two storey building containing a library, office administration and dining room. The consent has not yet been made operational.

Application History

30 June 2015	Application lodged.
15 July to 5 August 2015	Application advertised.
17 July 2015	Heritage Advisor's comments provided.
11 August 2015	Urban Design comments received.
22 August 2015	On-site meeting held.
13 October 2015	Clause 4.6 variation provided.
21 October 2015	Waste comments provided.
29 October 2015	Environmental Health (contamination) comments received.
6 November 2015	Amended plans provided removing the 20 car spaces fronting Rauch Street entry.
23 November 2015	Traffic Engineer's comments provided.
30 November 2015	Preliminary Site Investigation report received.
2 December 2015 and 11 January 2016	Application re-notified as a JRPP matter.
19 January 2016	Environmental Health comments received.
19 January 2016	Applicant notified of a Phase 2 investigation report requirement.
5 February 2016	Applicant advised that the Phase 2 report needs to be specific to the potentially contaminated areas rather than for the full site.
25 February 2016	JRPP onsite meeting held.
29 March 2016	Phase 2 contamination report received from applicants.

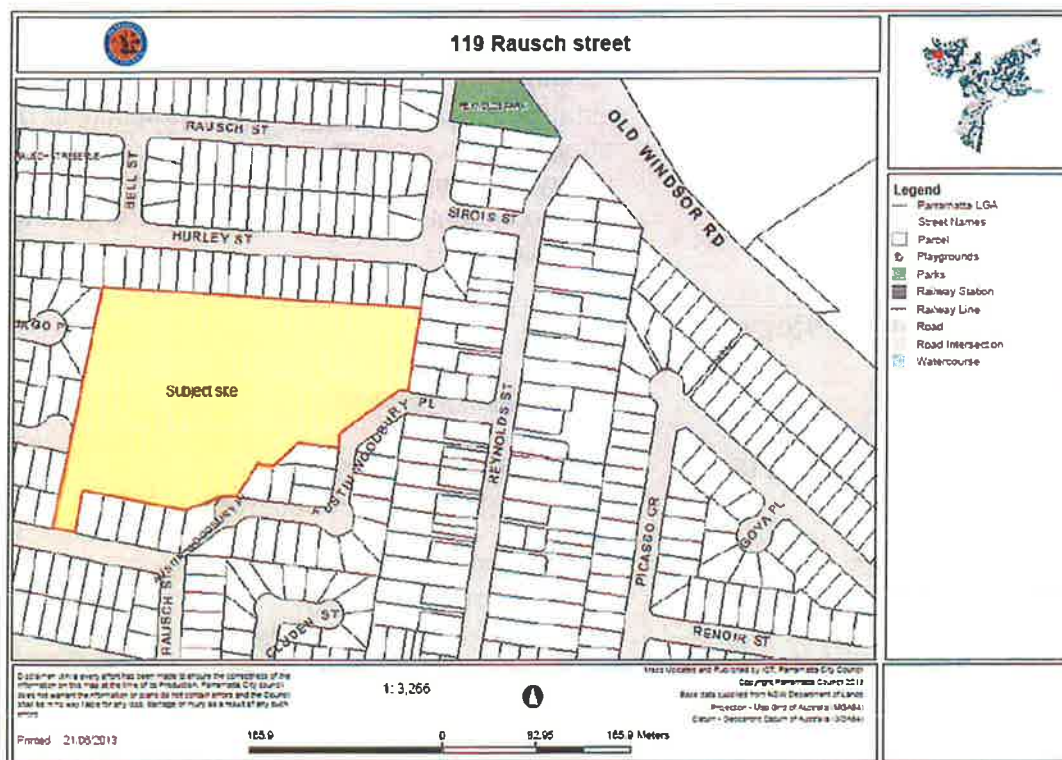
SECTION 79C EVALUATION**SITE & SURROUNDS**

Figure 1: Locality map with the subject site denoted in yellow.

The site is legally known as Lot 111 in DP 749237 at 119 Rausch Street, Toongabbie. The site is irregular in shape and has an overall area of 4.197 hectares. It is heavily vegetated around the perimeter of the site and surrounded by typical low density residential development. The site is bounded by Hurley Street to the north, Rausch Street & Austin – Woodbury Place to the east, south and Guiren and Jago Place to the west.

There are 6 existing buildings on the site comprising of a 2 storey seminary building (which is listed as having local heritage significance), two single storey fibre cement weatherboard clad demountables, former army education buildings and two slab, post and corrugated sheet metal out buildings. There are two driveway accesses, one from Austin-Woodbury Place to the east and the other from Rausch Street to the south.

The immediate surrounding areas to the north, west, east and south comprise predominantly single and two storey residential dwellings.

The subject site is close to Old Windsor Road to the north-east and T-Way along Old Windsor Road.

The subject site is currently being used as a tertiary educational institution.



Figure 2: Aerial photo and site analysis

The Campion Tertiary College was established in 2001 following sale of the subject site to the Catholic Diocese of Parramatta.

Council granted approval to a master plan (refer to Figure 3 below) under DA/1920/2003 in 2004 to allow the site to be utilised as a tertiary institution. The approval encompassed the following activities under Stage 1: -

- Establishment of a tertiary educational establishment
- Removal of trees
- Landscaping works
- Stormwater drainage works
- Construction of 165 car parking spaces and internal driveways

The DA also noted the following works, which would form part of separate and future proposals to seek approval for:

- Refurbishment of existing buildings
- construction of new buildings that will form different stages of development of the campus

The College was established to cater for students residing on campus, day students, full time, part time and external and distance education students. However, no development applications were submitted for any further building approval other than DA/540/2012, which has not been taken up by the applicants.

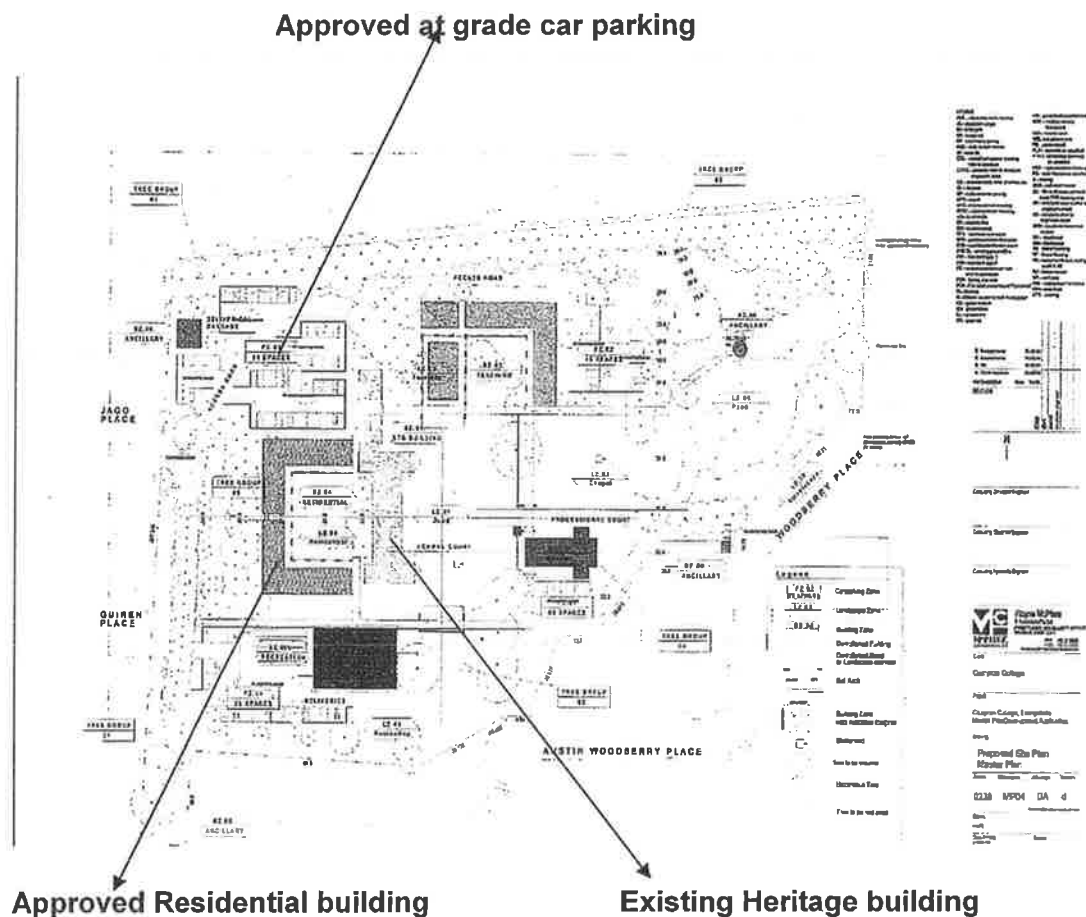


Figure 3: Approved Master plan

The subject application seeks consent for the following: -

- Alterations and additions comprising:
 1. The quadrangle with a new library plus dining hall on the northern side, chapel on the west side and gymnasium plus academic block on the south side. These additions are two storey buildings and have a total floor area of 5452m². The alterations to the existing kitchen will include the following;

- a. servery, new lobby, WC's office, cold storage area and additional work spaces and delivery area.
- II. The provision of 6 (235m² each) student residential buildings consisting of the following;
 - a. Buildings 1, 2 and 3 are to the north of the main building, while buildings 4, 5 and 6 are to the south of main building. Each building has two levels and comprises of 9 rooms, single, twin and accessible along with storage and common dining, lounge and kitchen area on the ground floor.
 - b. Buildings 1, 2 and 3 are connected by a walkway around the south quad, while buildings 4, 5 and 6 are also connected by a walkway along the north quad.
 - c. Each building has ;
 - i. Ground floor - combined kitchen lounge and dining area , 2x twin bedrooms with ensuite plus study area, 1 single bedroom with ensuite plus study area, 1 accessible bedroom with ensuite and study area , a laundry and bike store.
 - ii. First floor – 5x twin bedrooms with ensuite, study and a store room.
- III. 25 car parking spaces including 1 disabled space and a storage area in the basement level beneath the proposed library and dining hall.
- Construction of an at grade parking area for 65 car spaces including disabled spaces around the site.
- Construction of a new single storey brick maintenance facility adjacent to the main circulation road to the western end with a C and a kitchenette.
- Associated landscaping and storm water drainage.
- Removal of 102 trees.
- Demolition of facilities and site storage metal sheds and removal of all demountable structures.

The following items also form part of the current application, seeking approval for: -

- a) Operating hours of the administrative offices to be from 8:30am to 6:00 pm, Monday to Friday.
- b) The operating hours of the kitchen and dining room to be 7.00am-7.00pm, 7 days a week during semester times.
- c) The operating hours of the Library will be as follows;
 - i. During Semester times:
9:00am to 5:00pm, Monday, Thursday and Friday,

9:00am to 9:00pm on Tuesdays and Wednesdays.
9:00am to 1:00 pm Saturday.

ii. Outside of semester times :
9:00am to 5:00pm Monday to Friday

- d) The number of students at the college will be restricted to a maximum of 350 at any given point of time.
- e) The maximum number of administrative, academic and support staff on site at any one time will be 45.



1. Computer Generated Model View- 1



2. Computer Generated Model View- 2

Figure 4: 3D montage of the proposed development.

Parramatta Local Environmental Plan 2011

The site is zoned R2 Low Density Residential under Parramatta Local Environmental Plan 2011. The proposed works are for the construction of a library and administration wing as an extension to the existing building over 2 levels above a basement level car park as part of an approved educational establishment.

The definition of an '**educational establishment**' is as follows:

Educational establishment means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

The proposed development is ancillary to the approved use of the premises as a Catholic Tertiary College- Campion College and therefore satisfies the definition of an educational institution and is permissible.

The residential component of the proposed additions is ancillary to the use of the subject site and specifically for student accommodation associated with the educational institution and is permissible.

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

The provisions of SEPP No. 55 have been considered in the assessment of the development application. The site is not identified in Council's records as being contaminated. Further, the site does not have a history of a previous land use that may have caused contamination and there is no evidence that indicates the site is contaminated.

However, there is a possibility of localised contamination at an existing fuel pump and associated tanks adjacent to the site sheds and the diesel tank which fuels the hot water unit.

A preliminary Site investigation report was submitted and assessed by Council's Environmental Health (Contamination) unit and an area specific Phase 2 report was requested. A further Phase 2 contamination report was submitted to the Council. The following is an excerpt from the recommendations and conclusions from the Phase 2 contamination report;

“

Based on the findings of the investigation, it is concluded that the site can be made suitable for the proposed development as per the requirements set out within Clause 7 of SEPP55 – Remediation of Land, subject to the implementation of a Remedial Action Plan (RAP) to mitigate the health and ecological risks associated with the pollutant linkages outlined above.

In summary, following the review of the available site history information and available investigation data, Coffey considers that investigations carried out to date are adequate for the purpose of:

- **Characterising the nature of contamination (soil and groundwater) expected within the site for the type and extent of redevelopment proposed.**
- **Developing a Conceptual Site Model and strategy to manage the known types of contamination present within the site to make the site suitable for the proposed uses.**
- **Developing a framework to manage unexpected contamination encountered during the redevelopment of the site.**
- **Developing a framework to manage asbestos impact in fill material reasonably assumed to be encountered during the redevelopment of the site.**

“

Council's Environmental Health (Contamination) Officer has assessed the application and the following comments have been provided;

"The applicants Phase 2 Detailed Site Investigation clearly states at the top of page 33 the following:

Phase 2: Detailed Site Investigation
Campion College
119 Rauch Street, Old Toongabbie, NSW 2146

Based on the findings of the investigation, it is concluded that the site can be made suitable for the proposed development, subject to the implementation of a Remedial Action Plan (RAP) to mitigate the health and ecological risks associated with the pollutant linkages outlined above.

Therefore to satisfy Clause 7(1) the following must be achieved:

(a) it has considered whether the land is contaminated, and

- Council considered the land may be contaminated and requested a Phase 2, which was submitted confirming land contamination.

(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and

- The Phase 2 report clearly states the land will be suitable for the proposed development after it is remediated – see page 33 of the report.

(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

- As the land does require remediation the condition asking for a Remediation Action Plan prior to a construction certificate being issued is how Council can be satisfied that the land is remediated prior to being used for the intended purpose.

The fact they need to excavate a small area of contaminated land prior to building the new development means it will be remediated by that action alone.

Planner's comments:

Council's Environmental Officer (contamination) has clearly indicated that the Phase 2 contamination report submitted by the applicant satisfies the requirements of clause 7 of SEPP 55, subject to conditions of consent and is acceptable.

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

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

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

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

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

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

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The following provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application. The relevant clauses have been addressed in detail in the discussion below: -

Clause 28 Educational establishments

- (1) *Development for the purpose of educational establishments may be carried out by any person with consent on land in a prescribed zone.*
- (1C) *Development for a purpose specified in clause 31A (1) may be carried out by any person with consent on land on which there is an existing school or TAFE establishment.*
- (2) *Development for any of the following purposes may be carried out by any person with consent on any of the following land:*
 - (a) *development for the purpose of educational establishments—on land on which there is an existing educational establishment,*
 - (b) *development for the purpose of the expansion of existing educational establishments—on land adjacent to the existing educational establishment.*
- (3) *An educational establishment (including any part of its site and any of its facilities) may be used, with consent, for any community purpose, whether or not it is a commercial use of the establishment.*

- (4) *Subclause (3) does not require consent to carry out development on land if that development could, but for this Policy, be carried out on that land without consent.*

Planner's Comment:

There is an existing approval over the subject site which permits its use as an educational establishment (Campion College). The College is established and functioning, thereby demonstrating compliance with Clause 28(2) as outlined above. The proposed additions to the existing facilities are ancillary to the approved use and therefore permissible

Clause 32 Determination of development applications

- (2) *Before determining a development application for development for the purposes of a school, the consent authority must take into consideration all relevant standards in the following State government publications (as in force on the commencement of this Policy):*
- (a) *School Facilities Standards—Landscape Standard—Version 22 (March 2002),*
 - (b) *Schools Facilities Standards—Design Standard (Version 1/09/2006),*
 - (c) *Schools Facilities Standards—Specification Standard (Version 01/11/2008).*
- (3) *If there is an inconsistency between a standard referred to in subclause (2) and a provision of a development control plan, the standard prevails to the extent of the inconsistency.*
- (4) *Copies of the standards referred to in subclause (2) are available for inspection by the public at the head office of the Department of Planning and such other offices of the Department (if any) as the Director-General may determine.*

Planner's Comment:

It is noted that the above clauses would apply to the establishment of any new educational facilities. As the proposal relates to a new library, administration office and student accommodation to supplement the operation of the existing College, the clause does not apply.

Clause 45 – Electricity Infrastructure

The application is not subject to clause 45 of the SEPP as the development does not propose works within the vicinity of electricity infrastructure that warrant a written referral to the energy authority.

Clause 101 and 102 - Impact of road noise or vibration on non-road development and Development with frontage to classified road.

The application is not subject to clause 101 of the SEPP as the site does not have frontage to a classified road. The application is not subject to clause 102 of the

SEPP as the average daily traffic volume of **Rausch Street and Austin Woodbury Place** is less than 40,000 vehicles.

PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

The following table considers the proposed development having regard to the zoning provisions and development standards contained in Parramatta Local Environmental Plan 2011 that are of relevance to the subject development application:

COMPLIANCE TABLE		
Development standard	Proposal	Compliance
Land Use Table – R2 Low Density Residential Zone	Buildings associated with Educational establishment are permissible in the R2 zone.	Yes
4.3 Height of Buildings Does the building exceed the maximum building height shown for the land on the Height of Buildings Map?	Permissible - 9m Proposed- Most of the variation is along the addition to the existing heritage listed building in the range of 440mm to 3 m. Further there is a light weight steeple tower proposed to the Chapel which has a height of 21 m (this is discussed elsewhere in the report as an architectural roof feature). The residential units 2, 3, 4 and 5 have variations from 500mm to 948mm.	No. A clause 4.6 variation has been requested and assessed elsewhere in the report.

<p>4.4 Floor Space Ratio</p> <p>Does the development exceed the maximum floor space ratio shown for the land on the Floor Space Ratio Map?</p>	<p>Site area = 41970m²</p> <p>Permissible = 0.50:1 20985m²</p>	<p>Existing = 2188m² or 0.052:1 Proposed = 9050m² or 0.216:1 The proposal complies with the requirement</p>
<p>4.5 Calculation of floor space ratio</p> <p>Has floor space be calculated in accordance with the following definition?</p> <p>Has the floor space ratio included the gross floor area of any existing building in accordance with the requirements of clause 4.5.8?</p>	<p>The floor space ratio for the development has been calculated in accordance with the definition of gross floor area contained in the dictionary to PLEP 2011.</p>	<p>Yes</p>
<p>4.5 Calculation of site area</p> <p>Has the site area been calculated in accordance with requirements of clauses 4.5.3 to 4.5.6?</p>	<p>The site area used to calculate FSR is consistent with the requirements of clauses 4.5.3 to 4.5.6 of the LEP.</p>	<p>Yes</p>
<p>4.6 Exceptions to development standards.</p> <p><i>(Note: should a development standard be exceeded by greater than 10% then the application is required to be determined at a Council meeting)</i></p>	<p>The application seeks approval to vary the following clause: Clause 4.3- Height of buildings</p>	<p>Yes Refer to discussion below.</p>
<p>5.1 and 5.1A – Development on land intended to be acquired for public purposes</p> <p>Is any portion of the land identified for acquisition for local road widening on the Land Reservation Acquisition Map?</p>	<p>The site is not identified on this map.</p>	<p>N/A</p>

<p>5.6 Architectural roof features</p> <p>Does an architectural roof feature result in a building exceeding the maximum building height for the site outlined in clause 4.3?</p> <p>If yes does the roof feature satisfy clause 5.6.3?</p>	<p>There is a roof feature proposed in the form of a steeple tower with a height of 21m, which satisfies the requirements of the clause and is acceptable.</p>	<p>Yes</p>
<p>5.7 Development below mean high water mark.</p> <p>Is any portion of the development proposed to be carried out below the mean high water mark?</p>	<p>The proposal is not for the development of land that is covered by tidal waters.</p>	<p>N/A</p>
<p>5.9 Preservation of trees.</p>	<p>Refer to detailed discussion on tree removal in the referral section of this report.</p>	<p>Yes</p>
<p>5.10 Heritage Conservation</p> <p>Does the site contain or is it near a heritage item?</p> <p>If yes does the development satisfy clause 5.10.4 (effect of proposed development on heritage significance)?</p>	<p>According to the Heritage Item and heritage conservation maps the subject site is a heritage item. A Heritage impact assessment report has been submitted and assessed by Councils Heritage Advisor and no objections have been raised.</p>	<p>Yes</p>

<p>5.10.8 Aboriginal Places of Heritage significance</p> <p>What is the identified Aboriginal significance of the site? (refer pathways or parramapper for significance level)</p> <p>If of high significance has an Aboriginal Heritage Impact statement been submitted and notification of local Aboriginal Communities occurred?</p>	<p>The site is identified as being of low significance by Council's Aboriginal Heritage Sensitivity Database. Accordingly the proposal is not considered to impact an aboriginal place of heritage significance.</p>	<p>Yes</p>
<p>6.1 Acid sulfate soils</p> <p>What class of Acid Sulfate Soil does the Acid Sulfates soil Map indicate the site contains?</p> <p>Is an Acid Sulfate Soils Management Plan Required?</p>	<p>The site is identified as containing class 5 Acid Sulfate Soil. In accordance with the LEP table an Acid Sulfate Soils Management plan is not required to be prepared.</p>	<p>Yes</p>
<p>6.2 Earthworks</p> <p>Are the earthworks associated with the development appropriate?</p>	<p>Yes, a basement is proposed.</p>	<p>Council's Development engineer has reviewed the application and considers that the proposed earthworks are satisfactory.</p>
<p>6.3 Flood planning</p> <p>Is the site floodprone?</p>	<p>The site is identified by council as being flood prone and affected by a possible maximum flooding (PMF) event.</p>	<p>Yes, Council's Development engineer has assessed the application and no additional concerns have been raised.</p>
<p>6.4 Biodiversity protection</p> <p>Is the site identified as containing biodiversity on the 'Natural Resources – Biodiversity Map'?</p>	<p>The site is not identified on this map.</p>	<p>N/A</p>

6.5 Water protection Is the site identified as being riparian land on the 'Riparian Land and Waterways Map?	The site is not identified on this map.	N/A
6.6 Development on landslide risk land Is the site identified as being landslide risk land on the 'Landslide Risk Map?	The site is not identified on this map.	N/A
6.7 Affected by a Foreshore Building Line	No	The site is not located in the foreshore area.

Clause 4.6 Exceptions to Development Standards

The applicant has submitted a written variation to the development standard for building height as stipulated in PLEP 2011 pursuant to Clause 4.6 - Exceptions to Development Standards. The assessment and associated discussion required under Clause 4.6 of PLEP 2011 is considered below.

The site is located within an R2 Low Density Residential pursuant to Parramatta Local Environmental Plan 2011 (LEP). Clause 4.3 of Parramatta Local Environmental Plan 2011 prescribes a maximum permissible building height of 9m. The provision is a numerical development standard contained in the statutory plan.

The application proposes a maximum building height of 12.34m (representing a departure of 37.11%). This variation is confined to the western-most end of the chapel while the rest of the proposed development have lesser variations as depicted in Figures 5 and 6 below.

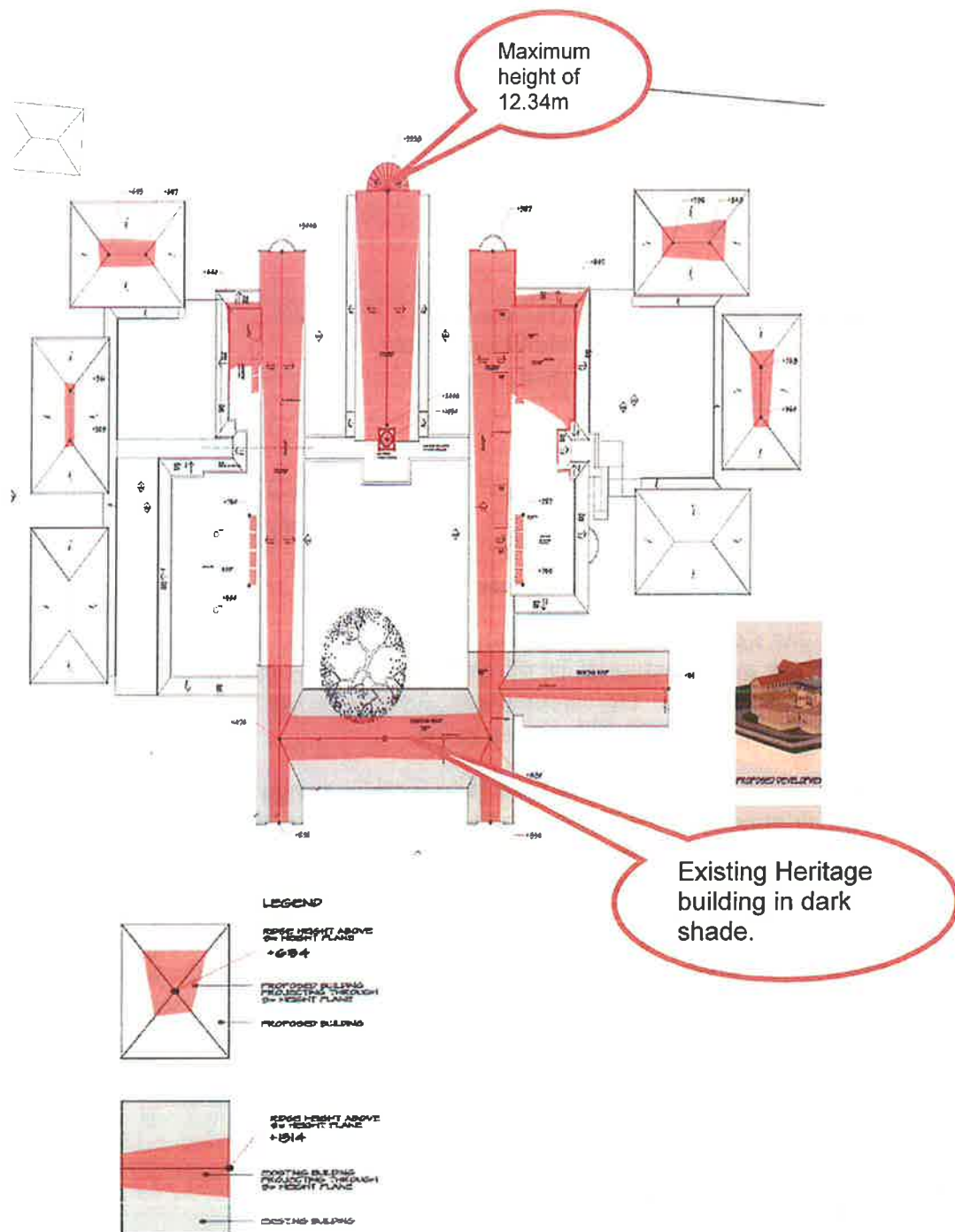


Figure 5: The Height Plane variation is shown in red above.

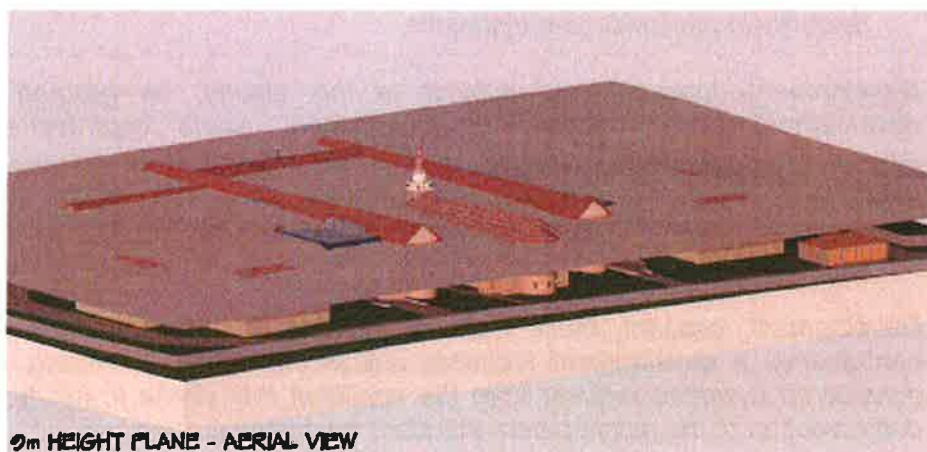


Figure 6: The 9m Height Plane aerial view.

The applicant has submitted a written submission under Clause 4.6, which outlines the following key justifications for the variation to the standard:

"The objectives of the clause are satisfied for the following reason:

- *The proposed building whilst exceeding the 9 m height control by 3.34m to the Chapel building at its highest point and to the other parts of the additions to a lesser extent can be justified because:*
 - *The proposed non-compliances are solely attributable to the pitched roof forms applicable.*
 - *The extent of non-compliant building diminishes with height resulting in the highest point of the building being the narrow ridge line of the building.*
 - *The existing building is a Heritage listed structure and exceeds the 9 m maximum permissible height; however the additions have to be sympathetic to the existing Heritage listed building.*
 - *The proposed building will have a generous setback from the side boundaries and adjoining residential dwellings.*
 - *The site is dominated by large canopy trees around its perimeter and is identified as buildings within a heavily landscaped setting.*
 - *Because of the generous setbacks, the increased building height is not a perceptible element.*
 - *No adverse impacts arise to adjoining residents in terms of loss of views or loss of solar access, or privacy impacts.*
 - *The retention of a pitched roof form is considered preferable to a flat roof form that might otherwise be required to satisfy compliance.*

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.*
2. *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*
 3. *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*
 - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.*
 4. *Development consent must not be granted for development that contravenes a development standard unless:*
 - (a) the consent authority is satisfied that:*
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and*
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and*
 - (b) the concurrence of the Director-General has been obtained.*

A request for exception under clause 4.6 was lodged as the proposed development exceeds the maximum permissible height for the site by 37.11%. This exception is considered to warrant Council's support and is discussed in further detail within this section.

In May 2008, the Planning Circular PS 08-003 advised Councils that arrangements for the Director-General's concurrence can be assumed in respect of any environmental planning instrument that adopts clause 4.6 of the Standard Instrument or similar clause.

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 relating to maximum permissible 'Height of buildings' is contained within Parramatta LEP 2011 as a development standard.

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

Clause 4.3: To ensure that developments provide the appropriate transition in built form and land intensity, minimise disruption of views, loss of privacy and solar access, impacting the curtilage of heritage items, and respect the existing character and scale of low density residential areas.

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?

The compliance with the standard will hinder the attainment of the objectives specified under section 5(a) (i) and (ii) of the EPA Act as has been discussed earlier.

The proposed height variation is supported since the height of the proposed Chapel building is in keeping with the setting in regards to the heritage listed building to which it is proposed to be attached.

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

The compliance with the standard is considered unreasonable and unnecessary as explained below;

The variation is a maximum 37% over the permissible height for the zone, particularly to the northwestern end of the proposed Chapel building. However the proposed development has less impact on the immediate neighbouring buildings given the following:

- i. The proposed pitched roof is preferable, since the existing heritage listed building has a pitched roof and any other form of roof will not be as compatible. The pitched roof is at a greater height to the North West end of the building given the slope of the land.
- ii. There are no adverse impacts to any of the neighbouring properties, since the building is setback at least 14m from the western boundary and 18 m from the northern boundary. There are no overshadowing issues.
- iii. Clause 31a of SEPP (Infrastructure) 2007 would have allowed for a maximum height of 12 m if the proposal was done as a Complying Development. It could not be carried out under the clause since a Heritage Item is located on the site.

- iv. The finished floor levels of the habitable buildings were required to be at 30.45 AHD, which will cause the buildings to be raised due to the Possible Maximum Flooding (PMF) on the site.
- v. There are no impacts on the streetscape, given that the large setback of the building from the public domain and is screened from the main access roads by full grown trees and vegetation and additional landscaping is proposed.

5. Is the exception well founded?
The exception is well founded given that it provides for a better outcome to the heritage listed building with minimal impacts on the immediate surrounding properties.

Zone Objectives

The site is zoned Low Density Residential R2 under Parramatta Local Environmental Plan 2011 and the proposal is permissible with Council's consent.

The objectives of the R2 Low Density Residential zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that non-residential land uses are located in a context and setting that minimises impacts on the amenity of a low density residential environment.
- To allow for a range of community facilities to be provided to serve the needs of residents, workers and visitors in residential neighbourhoods.

The proposed development is consistent with the aims and objectives of the R2 Low Density Residential zoning in that the proposed works are suitably located, and are of a bulk and scale that maintains suitable residential amenity for adjoining sites, while providing for improved educational facilities.

DEVELOPMENT CONTROL PLANS

PARRAMATTA DEVELOPMENT CONTROL PLAN 2011

Development Control	Proposal	Compliance
Site Considerations		
2.4.1 Views and Vistas Development is to preserve views of significant topographical features such as ridges and natural corridors, the urban	The site is not identified as having views and vistas identified as being significant by either Appendix 2 nor is	Yes

<p>skyline, landmark buildings, sites of historical significance and areas of high visibility, particularly those identified in Appendix 2 Views and Vistas. Refer also to Views and Vistas in the Harris Park Heritage Conservation Area in Part 4.</p> <p>Are views to and from public domain areas protected?</p>	<p>located in the Harris Park Conservation Area.</p>	
<p>2.4.2.1 Flooding</p> <p>Is the site flood affected by local or mainstream flooding?</p> <p>If yes refer to section 2.4.2 of DCP 2011 for detailed controls.</p>	<p>The site is identified in Council database as being flood prone. The subject site is affected by probable maximum flood (PMF) while the entrance to the site via Rausch Street is affected by 1 in 100 year flood event. Flooding issues have been addressed in the Flood Impact Report and assessed by Council's Development Engineer</p>	<p>Yes</p>
<p>2.4.2.2 Protection of Waterways</p> <p>Does the site adjoin a waterway?</p> <p>If yes does the proposed landscaping comprise of local indigenous species?</p>	<p>No</p>	<p>Yes</p>
<p>2.4.2.3 Protection of Groundwater</p> <p>Is a basement carpark proposed?</p> <p>If yes does the site require dewatering to facilitate this?</p>	<p>The development does incorporate a basement carpark and is unlikely to impact on groundwater quality as has been assessed by the Development Engineer.</p>	<p>Yes</p>
<p>2.4.3.1 Soil Management</p> <p>Are there adequate erosion control measures?</p>	<p>An erosion and sedimentation plan has been submitted with the application and conditions have been imposed to ensure that</p>	<p>Yes</p>

	this development will minimise sedimentation of waterways and not unduly contribute to windblown soil loss.	
2.4.3.2 Acid sulphate soils	Refer to LEP table above	
<p>2.4.3.3 Salinity</p> <p>Is the site identified as being of moderate or high salinity potential or of known salinity by the 'Salinity Study Map for Western Sydney 2006'?</p> <p>If yes, have investigations been undertaken in accordance with the Western Sydney Salinity Code of Practice 2003?</p> <p>If yes, does landscaping comprise of low water use species and are irrigation systems low water usage?</p>	<p>The site is of low salinity potential and accordingly salinity is unlikely to impact on the development.</p>	Yes
<p>2.4.4 Land Contamination</p> <p>Is the site identified as or likely to be contaminated?</p> <p>If yes have the requirements of SEPP 55 been satisfied?</p>	<p>The site is not contaminated nor is there any previous history that may have caused contamination. However, there is an existing fuel tank and bowsters which will need to be removed. A Phase 2 contamination report has been submitted and assessed.</p>	Yes. Please refer to the Internal referral section.
<p>2.4.5 Air Quality</p> <p>Have appropriate controls been placed on the development to ensure that during demolition and construction that the development does not contribute to increased air pollution?</p>	<p>Standard conditions have been imposed to ensure that the potential for increased air pollution has been minimised.</p>	Yes
<p>2.4.6 Development on Sloping Land</p> <p>Does the design of the development appropriately respond to the slope of the site?</p>	<p>The proposed building responds well with the contours of the land</p>	Yes

<p>2.4.6 Biodiversity</p> <p>Is vegetation removal appropriate?</p> <p>Does the landscape plan incorporate indigenous planting listed in Appendix 3?</p> <p>If the site contains or adjoins bushland is a Statement of Flora/Fauna Impact Required?</p>	<p>Council's landscape officer has reviewed the application and advises that vegetation removal is appropriate, the landscape plan is appropriate and that a Statement of Flora/Fauna Impact is not required.</p>	<p>Yes</p>
<p>2.4.7.2 Development on land abutting the E2 Environmental Protection zone and W1 Natural Waterways zone</p> <p>Does the site adjoin land zoned E2 or W1?</p> <p>If yes, does the development satisfy the design principles?</p>	<p>The site does not adjoin land zoned E2 or W1.</p>	<p>Yes</p>
<p>3. Preliminary Building Envelope</p>		
<p>Height</p> <p>Does the proposal exceed the Maximum height as shown on the Parramatta LEP 2011 Height of Buildings Map?</p> <p>Does the proposal exceed the number of storeys outlined in the DCP height table?</p>	<p>The Height of buildings Map indicates that buildings on this site can be a maximum height of 9m above existing natural ground level.</p> <p>The development has a maximum height of 12.34m to the northwest end of the Chapel building.</p>	<p>No, a clause 4.6 variation has been assessed elsewhere in the report.</p>
<p>3.2. Building Elements</p>		
<p>3.2.1 Building Form and Massing</p> <p>Are the height, bulk and scale of the proposed building consistent with the building patterns in the street?</p>	<p>The bulk, height and scale of the building is consistent with the existing heritage listed building. As the building is set well back from the street, there will be no impact on the streetscape.</p>	<p>Yes</p>

<p>3.2.2 Building Façade and Articulation</p> <p>Are the building facades modulated in plan and elevation and articulated to reduce the appearance of building bulk and to express the elements of the building's architecture?</p> <p>Does the building exceed the building envelope?</p>	<p>The proposed administration / library building has facades modulated in plan and elevation and articulated to fit in with the existing heritage listed building.</p>	<p>Yes</p>
<p>3.2.3 Roof Design</p> <p>Does that roof form minimise the bulk and scale of the building?</p> <p>Does the roof form respond to the local context, in particular scale and pitch?</p> <p>Is the roof pitch 32 degrees or less?</p>	<p>The proposed pitch roof is to match with the existing pitched roof of the heritage listed building and is acceptable.</p>	<p>Yes, the roof form has been assessed by Council's Heritage Advisor and found to be appropriate.</p>
<p>3.2.5 Streetscape</p> <p>Does the development respond to the existing character and urban context of the surrounding area in terms of setback, design, landscape and bulk and scale?</p> <p>If the development adjoins a existing or desired pedestrian or vehicular laneway does the development provide opportunities to activate the space?</p>	<p>The proposed addition are setback further away from the street and are not visible from the street and therefore is not considered to have any impact on the surrounding area.</p> <p>The development does not adjoin an existing or desired pedestrian/ vehicular laneway.</p>	<p>Yes</p> <p>Yes</p>
<p>3.3 Environmental Amenity</p>		
<p>3.3.1 Landscaping</p> <p>Are Natural features on the site such as trees, rock outcrops, indigenous species and vegetation communities retained and incorporated into the design of the development?</p>	<p>A landscape plan has been provided and has been assessed by Council's Landscape and Tree Management Officer and found to be appropriate.</p>	<p>Yes</p>
<p>3.3.3 Visual Privacy</p>	<p>It is considered that the extent of overlooking</p>	<p>Yes</p>

	into rear yards and windows of the adjoining properties from the first floor windows of the residential homes will be limited as these rooms are setback 17 m from the western boundary, 18m from northern boundary and 20 m from the southern boundary and has / will have extensive foliage cover.	
3.3.5 Solar Access 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?	The shadow diagrams submitted clearly indicate that the neighbouring dwellings will not be impacted.	Yes
3.3.6 Water Sensitive Urban Design Is the on-site detention system appropriately designed to minimise and control nuisance flooding and to provide safe passage for less frequent floods?	Council's Development Engineer has advised that the concept OSD plan is satisfactory and appropriate conditions have been imposed to ensure it is designed appropriately to achieve relevant objectives and design principles outlined in the DCP.	Yes
3.3.7 Waste Management Is the waste management plan satisfactory?	The Waste Management Plan is satisfactory, detailing the types and amounts of waste that will be generated by the development and the methods of removal and disposal.	Yes
3.4 Social Amenity		
3.4.4 Safety and Security Has the development been designed in accordance with crime prevention	The proposal does not contribute to the provision of any increased opportunity	Yes

<p>principles?</p> <p>Are the building entries orientated to the street?</p> <p>Are habitable rooms located at the front of dwellings?</p>	<p>for criminal or anti-social behaviour to occur. A draft Plan of Management has been provided which deals with the management of students on the site.</p>	
3.5 Heritage & Part 4 Special Precincts		
<p>Development must comply with the objectives, principles and controls in Part 4 and any relevant objectives, principles and controls in Parts 2 and 3 of this DCP. Where there is any inconsistency Part 4 will prevail.</p> <p>Does the site contain a heritage item?</p> <p>Is the site within a heritage conservation area?</p> <p>Is the development near a heritage item?</p> <p>If yes to any of the above is the impact of this development acceptable?</p>	<p>The subject site contains a Heritage Item in the form of the existing building on site and the impact of the proposed development has been assessed as per the Heritage Impact Assessment report and by Council's Heritage Advisor and no issues have been raised.</p>	<p>Yes</p>
<p>3.5.2 Archaeology</p> <p>Is excavation proposed?</p> <p>If yes is the area within the study area of the Parramatta Historic Archaeological Landscape Management Study (PHALMS)?</p> <p>(Note: The planning layer of Parramapper indicates its significance)</p>	<p>A basement is proposed and the subject site is not identified under the relevant controls as having any archaeological significance.</p>	<p>Yes</p>
3.6 Parking Provision		
<p>Neither the Parramatta DCP 2011 nor the RMS TGD (2002) provides parking rates for an educational development. The traffic report provides number of parking spaces based on peak hour requirements considering the number of students and staff.</p> <p>The submitted Traffic Report indicated that in 2012, there were 73 students and staff on site comprising 48 external</p>	<p>There are 110 parking spaces provided on-site. However, 20 of these spaces are to be removed due to the neighbours' concern resulting in a parking provision of 90 spaces on site. If the</p>	<p>The 90 off-street parking spaces (including 4 disabled parking spaces) provided on-site comprise of 25 spaces in a new basement car parking area beneath the</p>

<p>students (40 full-time and 8 part-time) plus 25 teaching/support staff. At present there are 97 students and staff on site comprising 79 full-time equivalent students and 18 full-time equivalent staff at the College.</p> <p>Application of the peak parking demand of 21 spaces and 73 students and staff, as indicated in the Traffic report, will equate a peak parking demand rate of "1 space per 3.48 students/staff". It will yield a parking demand of 101 parking spaces for 350 students.</p>	<p>peak parking demand is 101 spaces at full development of Campion College, according to the submitted Traffic Report, the proposed development will be deficient by 11 parking spaces on-site after removal of the 20 spaces.</p>	<p>library/administration building, and a further 65 parking spaces in an at-grade car parking area is acceptable. The applicant will be required to relocate and provide 11 parking spaces within the site.</p>
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PARRAMATTA S94A DEVELOPMENT CONTRIBUTIONS PLAN 2008

As the cost of works for the proposed development exceeds \$200,000 a Section 94A development contribution 1.0% is required to be paid. A Quantity Surveyor who is a member of the Australian Institute of Quantity Surveyors prepared a Quantity Surveyors Report that detailed **\$19,923,412** as estimated cost of development under Clause 255 of EP& A Regulation 2000 and **\$19,863,412** as estimated cost of development under clause 25J of EP& A Regulation 2000. Accordingly, the Section 94A contributions will be calculated on the value of **\$19,863,412**.

A standard condition of consent has been imposed requiring the contribution to be paid prior to the issue of a Construction Certificate.

PARRAMATTA CITY COUNCIL SECURITY BONDS FOR THE PROTECTION OF CIVIL INFRASTRUCTURE

Council's current Schedule of Fees and Charges requires the developer to pay Security Bonds to ensure the protection of civil infrastructure located in the public domain adjacent to the site. As the development has a value of works in excess of \$500,000, the applicant will be required to pay a Security Bond of \$40,000 prior to the release of a Construction Certificate, given that the development straddles two street frontages.

There are no street trees located adjacent to the site.

External referrals

No objection (subject to conditions) was raised by the following external referral bodies - Roads and Maritime Services.

Internal referrals

No objection (subject to conditions) was raised by the following internal Council sections – Traffic section, Development Engineer, Tree Officer, Urban Design, Health (Waste) section, Heritage Advisor and Environmental Health(Contamination).

JRPP

A briefing was also held for Sydney West JRPP on 22 January 2015 and no additional concerns were raised. Further, an onsite meeting was held on 25 February 2016, where the contamination to the north-western part of the site was highlighted and the panel confirmed that a Phase 2 contamination report would be required.

Discussion

Urban Design

Council's Urban Design unit has assessed the application and have raised no additional concerns with the design. It is also noted that the context of the proposed additions is to fit into the existing heritage listed building on the site and this has been achieved.

Environmental Health (Contamination)

Council's Environmental Health unit has assessed the application and the Phase 2 contamination report and has supported the development subject to recommended conditions of consent (namely conditions nos. 12 to 19, and 75 to 79). The following are the recommendations of the officer;

"The proposed development involves alterations and additions to an existing educational facility with a number of new buildings to be constructed. The statement of environmental effects indicated a potential for localised land contamination at existing fuel pumps and tanks located in the north western area of the site. A subsequent Preliminary Site Investigation was conducted to determine if further investigation of contaminated land was required.

The Preliminary Site Investigation submitted is titled Preliminary Site Contamination Assessment – Campion College 119 Rausch Street, Old Toongabbie, NSW 2146 prepared by Coffey Environments Australia Pty Ltd dated 25 November 2015 (report no. ENAURHOD04835AA-R01a).

The investigation of the site revealed the presence of an old fuel bowser and possible underground storage tank in addition to a number of small waste stockpiles, some of which have suspected asbestos material. It was concluded that the overall site poses a low risk for contamination however current and historic uses of the north western portion of the site have the potential for contamination to be present.

As the north western portion of the site is proposed to be used for the location of new student accommodation buildings, there is a potential for the site to pose risks to human health and environmental receptors. It was recommended that a more intrusive investigation of the site be undertaken to determine the extent of the potentially contaminated land in relation to the proposed use.

The applicant has now submitted a Phase 2 site investigation. The report is titled Phase 2: Detailed Site Investigation 119 Rausch Street, Old Toongabbie, NSW 2146 prepared by Coffey Environments Australia Pty Ltd dated 23 March 2016 (report no. ENAURHOD04835AB).

The phase 2 report identified some areas of the site to be contaminated. The contaminants included asbestos fragments in stockpiles and shallow fill material, lead and petroleum hydrocarbons in shallow fill material and petroleum hydrocarbons in soil and groundwater samples.

It was concluded that due to the presence of various contaminants the site is recommended to be remediated and a Remediation Action Plan is required to be prepared.

It was also concluded that based on the findings of the detailed site investigation the site can be made suitable for the proposed development following remediation. "

Planner's comments:

The submitted Phase 2 contamination report and the assessment of the Environmental Health unit above clearly demonstrate that the proposed development can be supported subject to recommended conditions of consent.

Traffic

Council's Traffic Investigation Engineer has assessed the application and provided the following comments;

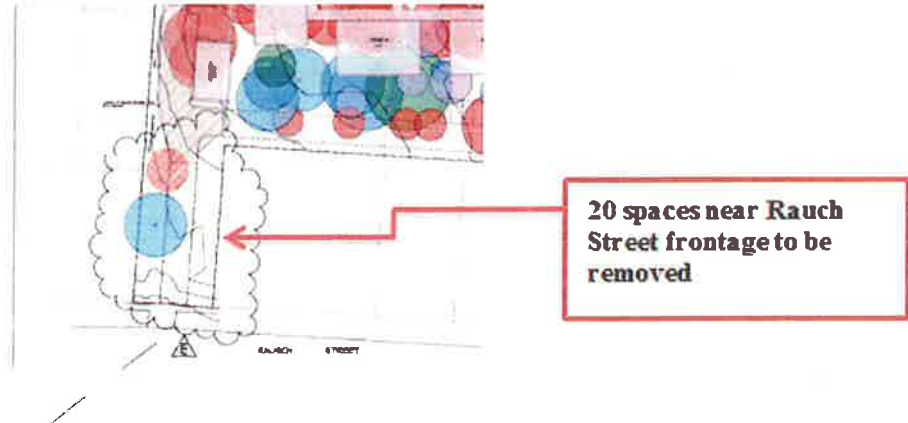
Previous Traffic Comments

1. *Traffic comments were provided on 9 July 2015 (D03749016) and it was recommended that the proposed development be supported on traffic and parking subject to various traffic related conditions.*

Current Situation

2. *On 22 August 2015, a site meeting was held in accordance with Council's Policy. Note that this meeting was required because the application was subject to;*
 - *1 petition with about 40 household signatures.*
 - *5 submissions from individual households.*
3. *The issues discussed at the site meeting included, in part, the following:*
 - *Concern about the impact of the development on traffic and parking in Rausch Street.*
 - *Concern that the parking spaces close to the boundary walls will cause more noise issues for the immediate neighbouring residents.*
 - *Suggestion that the Rausch Street entrance be used only for servicing while the Austin Woodbury Place access be used for the college.*

4. An amended plan has been received from the applicant on 6 November 2015 showing the deletion of the 20 parking spaces near the Rausch St frontage to the site. The proposal is to delete these spaces in response to the concerns raised by neighbours during the site meeting on 22 August 2015 and supported by the Councillors in attendance at the site meeting.



5. As per previous traffic comments, it was indicated that "Neither the Parramatta DCP 2011 nor the RMS TGD (2002) provides parking rates for an educational development. The traffic report provides number of parking spaces based on peak hour requirements considering the number of students and staff".
6. The original submitted architectural plans provided a total of 110 parking spaces (85 at grade parking and 25 spaces in the basement level).
7. The submitted Traffic Report indicated that traffic surveys undertaken at the College site revealed that
- "the peak parking demand recorded in the morning was 18 cars parked on-site; and
 - the peak parking demand recorded in the afternoon was 21 cars parked on-site"
8. The submitted Traffic Report indicated that in 2012, there were 73 students and staff on site comprising 48 external students (40 full-time and 8 part-time) plus 25 teaching/support staff.
9. Note that in discussion with the applicant (Ross Gardner of Gardner Wetherill Associates) on Monday 23 November 2015, at present there are 97 students and staff on site comprising 79 full-time equivalent students and 18 full-time equivalent staff at the College.
10. Application of the peak parking demand of 21 spaces and 73 students and staff, as indicated in Item 11, will equate a peak parking demand rate of "1 space per 3.48 students/staff".

11. Accordingly, for 350 students on-site at full development of Campion College, it will yield a parking demand of **101 parking spaces**.
12. As per the submitted architectural plans, there are 110 parking spaces provided on-site. However, 20 of these spaces are to be removed due to the neighbours' concern resulting in a parking provision of 90 spaces on site. If the peak parking demand is 101 spaces at full development of Campion College, according to the submitted Traffic Report, the proposed development will be deficient by 11 parking spaces on-site after removal of the 20 spaces.
13. The applicant advised that "the 20 spaces have not been relocated as formalising them elsewhere would impact on trees etc. which was also an issue. There is plenty of space elsewhere on the site away from this frontage for informal parking to occur between trees. Furthermore if parking does become an issue in the future when student numbers have increased then additional parking can be provided".
14. It is recommended that, of the 20 parking spaces to be removed from the site, 11 spaces are to be relocated and provided within the site. However it is noted that relocating these spaces may affect some trees as per the applicant's advice on 6 November 2015. Council's Tree Management Officer is to be contacted in this regard.
15. Accordingly, the applicant is to be requested to relocate and provide 11 parking spaces within the site and a plan of these relocated spaces is to be submitted to Council for consideration.

Conclusion

Based on the analysis and amended information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on Rausch Street, Austin Woodberry Place and the surrounding road network. The proposal can be supported on traffic and parking grounds with conditions"

The recommendations of the Traffic engineer have been incorporated within the conditions of consent.

PUBLIC CONSULTATION

In accordance with Council's notification procedures that are contained in Appendix 5 of DCP 2011, the proposal was advertised in the local paper and a sign placed on the site with owners and occupiers of surrounding properties, and Council's Heritage Committee given notice of the application for a 21 day period between 15 July and 5 August 2015. In response, 1 petition with 40 household signatures and 5 submissions from individual households were received.

Given the number of objectors, an on-site meeting was held on 22 August 2015. The following attended the meeting:

- Councillors Wearne, Wilson and Chowdhury (Parramatta City Council);

- Development Assessment Team Leader;
- Senior Development Assessment Officer;
- The applicant and architect; and
- 18 residents

The issues raised in the submissions and at the on-site meeting are addressed below:

(The issues have been grouped to avoid repetition).

- **Concern about the impact of the development on traffic and parking in Rausch Street. Rausch Street entry should not be used for regular access to the site and the proposed off street car parking close to the boundary fences should be avoided.**

Comments:

The applicants have modified their site plan to remove any off street parking from the Rausch Street and have provided a commitment that the gate will remain closed and locked and will remain accessible to service & emergency vehicles only. This will form a part of the recommended conditions of consent. The issues relating to traffic and parking have been assessed by Council's Traffic Engineer and found to be satisfactory. Further the site had a Master plan approved in 2003 which had 165 car parking spaces approved at four different zones. The proposed 90 car spaces which include 25 basement spaces are acceptable and unlikely to unnecessarily increase demand for offsite parking. A condition of consent requiring the relocation of 11 car spaces within the site has been included.

- **Concern that the noise and student behaviour cannot be managed appropriately and suggestions to include an acoustic treated fence.**

Comments:

An appropriate Plan of Management for the residential facilities has been provided and the contact details of the responsible person to make any complaints have been provided. This will be enforced by way of a suitable condition of consent.

- **Excessive tree removal.**

Comments:

Council's Tree and Landscape Management officer has reviewed the application and no additional concerns have been raised. A Landscape plan has been provided and additional tree planting is proposed. One-hundred and two (102) trees are proposed to be removed, one-hundred and twenty-three (123) trees are to be retained with seventy-eight (78) new (replacement) trees included in the landscape proposal for this Development Application.

- **Concern on the flood overflow and drainage issues from the site.**

Comments:

Council's Development Engineer has assessed the application and provided conditions of consent which will form consent. No additional concerns have been raised.

- **Concern is raised about the lighting of the proposed carpark close to the boundary and the impact on neighbours.**

Comments:

As discussed previously, the off street car parking to the Rausch Street entrance has been deleted.

- **Concern on the extended hours of operation.**

Comments:

The following hours of operation are being considered for the proposed development;

- a. The operating hours of the administrative offices will be from 8:30am to 6:00 pm, Monday to Friday.
- b. The operating hours the kitchen and dining room will be 7.00am-7.00pm, 7 days a week during semester times.
- c. The operating hours of the Library will be as follows;
During Semester times:
9:00am to 5:00pm, Monday, Thursday and Friday,
9:00am to 9:00pm on Tuesdays and Wednesdays.
9:00am to 1:00 pm Saturday.

Outside of semester times :

9:00am to 5:00pm Monday to Friday

Given that the use of the premises is for an educational facility along with boarding, it is considered acceptable.

- **Concern that the height of the residential buildings may be excessive and does not comply with the flood levels.**

Comments:

The submitted Flood management report has clearly indicated that the western boundary edge of the property would be impacted by PMF event. The finished floor levels have been adopted as per the 100 year ARI flood level plus 500mm free board and all the habitable finished floor levels are at 30.45AHD. The maximum permissible height variations have been discussed elsewhere within the report and have been considered to be acceptable.

- **Concern raised that the Traffic Management Plan for the precinct has not been implemented.**

Comments:

The Traffic Management plan for the entire precinct is outside the purview of this application and the Traffic Engineer has assessed the application and found it to be satisfactory no additional concerns have been raised.

- **Concern raised at termite infestation.**

Comments:

The concern was essentially to do with the construction activity being proposed. It is an issue that is looked at during construction certificate phase.

- **Drainage from the site.**

Comments:

Council's Development Engineer has assessed the application and no additional concerns have been raised subject to conditions of consent.

- **Traffic and construction noise.**

Comments:

While there will be an increase in traffic, Council's Traffic Engineer has considered the proposal and considers that the proposal will not have unacceptable traffic congestion in the area. In regards to pollution, especially during construction, conditions of consent will be included in the consent to reduce the impact of pollution on the neighbouring dwellings, such as dust and noise control measures.

- **Privacy impacts.**

Comments:

The proposed hostel accommodation buildings are setback at a minimum of 17 m from the immediate boundaries and predominantly two storey buildings and the privacy impacts are considered to be minimal. A dwelling would normally have a 1.5m setback from the side boundary and an average 13 m from the rear boundary.

- **Impact on wildlife.**

Comments:

Although 102 trees are proposed to be removed, one-hundred and twenty-three (123) trees are to be retained with seventy-eight (78) new (replacement) trees. Given this and the replacement planting there is unlikely to be any undue impact on the existing wildlife on the subject site, or within the immediate area. The subject site is not identified as ecologically endangered community or critical habitat.

- **Fire alarms noise and excessive lighting from the complex.**

Concern is raised that there is excessive lighting from the facility and fire alarms noise regularly occurs from the site.

Comments:

The draft plan of management would have a contact details for any such situation. Conditions of consent for unobtrusive lighting would be included within the recommended conditions.

- **Residential accommodation close to boundaries, applicant should investigate options to locate them around Austin Woodbury frontage.**

Comments:

The proposed residential blocks are two storeys high and are setback at least 17 m from the nearest boundaries and are considered acceptable.

Amended Plan

Yes

Summary of amendments

The amendment involved the deletion of the initially proposed off street car parking at the Rausch Street entry. All the other components of the proposal remain.

AMENDED PLANS RENOTIFIED?

Yes

The amended plans and the application were re-notified as a JRPP matter for determination from 2 December 2015 to 11 January 2016. One submission from 121 Rausch Street was received and the issues raised have been addressed above.

PLANNING AGREEMENTS

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

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

Site Analysis

Surrounding development comprises a mixture of single storey dwellings and larger two storey dwellings. The proposed development will be consistent with surrounding

development in terms of its bulk and scale, since it is a two storey structure with variations to the maximum permissible height of 9 m. The building will not be visible from the street and therefore will have no impact on the street scape.

Access, Traffic & Parking

The proposed vehicular access for the development complies with the Australian Standards for Parking Facilities (AS2890.1:2004). The increase in traffic generation from the additional building was considered acceptable by Council's Traffic Engineers and will have a minimal impact on the existing traffic conditions.

Utilities/Infrastructure

The proposed use will not adversely impact existing utilities or public infrastructure. Conditions have been imposed within the recommendation requiring the applicant to liaise with service authorities to ensure that these services can be provided.

Fire Safety

All building work associated with the development must be carried out in accordance with the provisions of the Building Code of Australia. A condition will be imposed to ensure such compliance. A BCA compliance report has been submitted and form part of the conditions.

Noise & Vibration

To minimise noise and vibration as a result of construction works, a standard condition of consent will be imposed for work including demolition, excavation and construction activities associated with the development, including the delivery of material to and from the site shall only be carried out 6 days a week, Monday to Friday between the hours of 7.00am to 5.00pm and Saturday 8.00am to 5.00pm.

Security by Design

The proposal does not contribute to the provision of any increased opportunity for criminal or anti-social behaviour to occur. The building is for an administrative building/library with a dining hall and opens out to landscaped open spaces and therefore supports passive surveillance.

Impacts during Construction

Conditions of consent are recommended to mitigate any potential impacts on the amenity of the surrounding environment.

Social & Economic Impact

It is considered that the proposed development will complement the locality. The proposed development is not expected to have an adverse social or economic impact.

ESD & The Cumulative Impact

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

SUITABILITY OF THE SITE

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

SUBMISSIONS & PUBLIC INTEREST

Multiple submissions were received in response to the notification of the application. The issues raised within these submissions have been discussed within this report.

The proposed development is not contrary to the public interest.

Conclusion

After consideration of the development against Section 79C of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. Therefore, it is recommended that the application be approved subject to the imposition of appropriate conditions.

Recommendation

Pursuant to Section 80(3) of the Environmental Planning and Assessment Act, 1979

APPROVAL SUBJECT TO CONDITIONS

- (a) **That** JRPP support the variation to Clause 4.3 of the PLEP 2011 under the provisions of clause 4.6.
- (b) **That** JRPP as the consent authority grant development consent to Development Application No. DA/540/2012 for alterations and additions to an educational establishment including the construction of a 6 x student accommodation buildings, library, dining hall, chapel, gymnasium, academic teaching space, maintenance facility, basement car parking for 25 spaces and

tree removal at 119 Rausch Street, TOONGABBIE for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the following conditions

General Matters

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

Drawing N ^o	Dated
Cover page drawing no. DA00, Rev D by Gardner Wetherill & Associates	26 June 2015
Survey Plan drawing no. DA01, Rev D by Gardner Wetherill & Associates	26 June 2015
Site Plan drawing no. DA03, Rev E by Gardner Wetherill & Associates	6 October 2015
Basement Floor Plan drawing no. DA04, Rev D by Gardner Wetherill & Associates	26 June 2015
Ground Floor Plan drawing no. DA05, Rev D by Gardner Wetherill & Associates	26 June 2015
First Floor Plan drawing no. DA06, Rev D by Gardner Wetherill & Associates	26 June 2015
Roof Plan drawing no. DA07, Rev D by Gardner Wetherill & Associates	26 June 2015
Elevations Plan drawing no. DA08, Rev C by Gardner Wetherill & Associates	26 June 2015
Elevation and Sections Plan drawing no. DA 09, Rev B by Gardner Wetherill & Associates	26 June 2015
Landscape Plan by iScape Landscape Architecture	January 2015
Hydraulic services, Street Location Plan drawing No. HDA01 to HD08 /P2 of project No. 2012-0242v3 prepared by AJ Whipps Consulting Group.	27 March 2015

Document(s)	Dated
Statement of Environmental Effects by Glendinning Minto & Associates Pty Ltd	June 2015
Clause 4.6 variation by Glendinning Minto & Associates Pty Ltd	12 October 2015
Heritage Impact Assessment by NBRIS & Partners	April 2015
Acoustic Assessment by Renzo Tonin & Associates	9 April 2015

Document(s)	Dated
QS report by Mitchell Brandtman (NSW) Pty Ltd	2 April 2015
BCA Section J Assessment by Energylab Pty Ltd	undated
Waste Management Plan	23 June 2015
Draft Plan of Management Effects by Glendinning Minto & Associates Pty Ltd	June 2015
Arboricultural Impact Assessment (Ref No – 1288-15AIA by Tree Wise Men Australia Pty Ltd	June 2015
Flood Impact Report Ref. 1234FRMP240315let prepared by Stefani Group	24 March 2015
Phase 2 contamination report by Coffey Environmental Australia Pty Ltd	4 April 2016

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

Reason: To ensure appropriate demolition practices occur.

3. Approval is granted for the demolition of (all facilities and site storage metal sheds and all demountable) currently on the subject site, 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 the properties 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.

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

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

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

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

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

Reason: To ensure compliance with legislative requirements.

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

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

8. All trees supplied above a 25 L container size for the site must be grown and planted in accordance with Clarke, R 1996 Purchasing Landscape Trees: A guide to assessing tree quality. Natspec Guide No.2. Certification that trees have been grown to Natspec guidelines is to be provided upon request of Council's Tree Management Officer.

NOTE: All tree planting shall be located a minimum of two (2) metres to any boundary or underground services and shall have a minimum container size of 45 litres.

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

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

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

10. Trees to be retained are identified in the submitted Arboricultural Impact Assessment Report by Tree Wise Men (Ref No – 1288-15AIA) dated June 2015:

Tree No's: 7,10,14-15, 17-19, 21-23, 26-63, 67, 81-82, 87, 96-99, 103, 106-134, 136, 138-142, 144-145, 148, 158-160, 165-168, 180-181, 188, 192-194, 197, 199, 203-205, 210-211, 214, 216-217, 220 and 224.

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

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. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Work Cover NSW and the EPA, and with the provisions of:

- (a) Work Health and Safety Act 2011
- (b) NSW Protection Of the Environment Operations Act 1997 (NSW) and
- (c) NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

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

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

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

14. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority immediately.

Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.

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

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

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

16. All remediation works shall be carried out in accordance with clauses 17 and 18 of State Environmental Planning Policy 55 - Remediation of Land.

Reason: To comply with the statutory requirements of State Environmental Planning Policy 55.

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

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

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

Reason: To ensure the safe removal of underground storage tanks.

Prior to the Issue of a Construction Certificate

19. A Remediation Action Plan detailing the methods proposed to remediate the site to be suitable for the proposed use is required. The Remedial Action Plan should be prepared in accordance with the requirements of "Managing Land Contamination Planning Guidelines SEPP No. 55 Remediation of Land".

A site audit statement reviewing the Remediation Action Plan (RAP) is to be prepared by an independent NSW EPA accredited auditor for contaminated land. This site audit statement is to be submitted with the RAP to the satisfaction of the Principal Certifying Authority with a copy to the Council.

Reason: To ensure compliance with the requirements of SEPP No. 55.

20. Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, prior to the issue of the Construction Certificate the Certifying Authority, shall be satisfied that the operation on an individual piece of equipment or operation of equipment in combination will not exceed more than 5db (A) above the background level during the day when measured at the site's boundaries and shall not exceed the background level at night (10.00pm – 6.00am) when measured at the boundary of the site.

Note: A certificate from an appropriately qualified acoustic engineer is to be submitted with the Construction certificate, certifying that all mechanical ventilation equipment or other noise generating plant in isolation or in combination with other plant will comply with the above requirements.

Reason: To comply with best practice standards for residential acoustic amenity.

21. The recommendations outlined in the acoustic report prepared by Renzo Tonin & Associates with reference number TB014 -04F02 dated 9 April 2015 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.

22. A monetary contribution comprising **\$198,634.10** is payable to Parramatta City Council pursuant to Section 94A of the Environmental Planning and Assessment Act, 1979 and the Parramatta Section 94A Development Contributions Plan. Payment must be by EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a construction certificate. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

Reason: To comply with Council's adopted Parramatta Section 94A Development Contributions Plan .

23. *An Environmental Enforcement Service Charge* is to be paid to Council prior to the issue of a construction certificate. The fee paid is to be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

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

24. *An Infrastructure and Restoration Administration Fee* is to be paid to Council prior to the issue of a construction certificate. The fee to be paid is to be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

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

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

Reason: To ensure that the levy is paid.

26. All outdoor lighting must comply with the relevant provisions of AS/NZS 1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 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 effects on public amenity from excessive illumination levels.

27. 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 /393/2015;
- (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
Nature Strip and Roadway -	\$40,000

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.

28. 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.

29. 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.

30. No work is to commence on the storm water system until the detailed final storm water plans have been approved by the Certifying Authority.

Prior to the approval of storm water drainage plans, the person issuing the Construction Certificate must ensure:

- (a) The final drainage plans are consistent with the Concept Drainage Plans with the notes there on, approved with the Development Consent.

Note:

- The reference *Hydraulic services, Street Location Plan drawing No. HDA01/P2 of project No. 2012-0242v3 dated 27.03.15 prepared by AJ Whipps Consulting Group*;

- *Hydraulic services, Soil & Water Management Plan drawing No. HDA02/P2 of project No. 2012-0242v3 dated 27.03.15 prepared by AJ Whipps Consulting Group;*
- *Hydraulic services, Basement Plan drawing No. HDA03/P2 of project No. 2012-0242v3 dated 27.03.15 prepared by AJ Whipps Consulting Group;*
- *Hydraulic services, Northern Site Plan drawing No. HDA04/P2 of project No. 2012-0242v3 dated 27.03.15 prepared by AJ Whipps Consulting Group;*
- *Hydraulic services, Southern Site Plan drawing No. HDA05/P2 of project No. 2012-0242v3 dated 27.03.15 prepared by AJ Whipps Consulting Group;*
- *Hydraulic services, Eastern Site Plan drawing No. HDA06/P2 of project No. 2012-0242v3 dated 27.03.15 prepared by AJ Whipps Consulting Group;*
- *Hydraulic services, Street Drainage Plan drawing No. HDA07/P2 of project No. 2012-0242v3 dated 27.03.15 prepared by AJ Whipps Consulting Group;*
- *Hydraulic services, Street Drainage Plan drawing No. HDA08/P2 of project No. 2012-0242v3 dated 27.03.15 prepared by AJ Whipps Consulting Group;*

Concept Plans are concept in nature only and not to be used for construction purposes as the construction drawing. Rectified Stormwater plan addressing all the issues and notes must be prepared with details, and submitted with the application for Construction Certificate to the Principal Certifying Authority for approval).

- (b) The proposed On-Site Detention (OSD) System has been designed by a suitably qualified Hydraulic Engineer, in accordance with the Upper Parramatta River Catchment Trust "On-Site Detention Handbook" and Council's Drainage Code E4 and stormwater Drainage Guidelines.
- (c) The design achieves:
 - (i) a Site Storage Requirement of 470 m³/ha and a Permissible Site Discharge of 80 L/s/ha (as per 3rd edition of UPRCT's handbook)
 - (ii) When using the Extended/Flood detention method (4th edition of UPRCT's handbook), the Site Reference Discharge (Lower Storage), SRDL of 40 l/s/ha, Site Storage Requirement (Lower Storage) SSRL of 300 m³/ha and Site Reference Discharge (Upper Storage), SRDU of 150 l/s/ha, Site Storage Requirement (Total) SSRT of 455 m³/ha as per the submitted OSD calculation.
- (d) Overland flow from the proposed development area shall be directed to Rausch street property frontage to prevent the adverse effects from the overland flows to the downstream properties. To facilitate the overland flow diversion, a concrete kerb line shall be constructed at the outer edge of the driveway. The Kerb line shall go around the outer edge of the North Eastern car park. Details shall be submitted to the approval of the Principal Certifying authority.
- (e) Detailed drainage plans with cross sectional details of OSD storage areas; pits etc., OSD Detailed Design Submission and OSD Detailed Calculation Summary Sheet are submitted and are acceptable.

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

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

Reason: To minimise costs to Council

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

The engineer shall:

- a. provide an acceptance in writing to supervise sufficient of the works to ensure compliance with:

- i. all relevant statutory requirements,
- ii. all relevant conditions of development consent
- iii. construction requirements detailed in the above Specification, and
- iv. the requirements of all legislation relating to environmental protection,

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

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

Reason: To comply with Council requirements.

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

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

34. 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 certificate.

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

35. Bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-1993. Details are to be illustrated on plans submitted with the construction certificate.
Reason: To comply with Council's parking requirements.
36. Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate.
Reason: To ensure appropriate vehicular manoeuvring is provided
37. Prior to issue of construction certificate the additional 11 car parking spaces shall be provided within the site and the amended plans submitted to Council for assessment.
Reason: To comply with Council's parking requirements.
38. The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan showing the swept path of service vehicles entering and exiting the site shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.
Reason: To ensure pedestrian safety and maintain amenity.
39. Any exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS 1668.1. Details demonstrating compliance are to be provided with the Construction Certificate.
Reason: To preserve community health and ensure compliance with acceptable standards.
40. The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, storm water drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site www.sydneywater.com.au see Your Business then Building and Developing then Building and Renovating or telephone 13 20 92. The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to works commencing on site.
Reason: To ensure the requirements of Sydney Water have been complied with.
41. 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. Works shall be completed to the satisfaction of the Council. In this regard, a final inspection shall be carried out by an engineer from Council's catchment management unit.
Reason: To ensure appropriate drainage.

42. 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.

43. 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.

44. Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property. A de-watering plan is required to be included and submitted to Council for review prior to issue of a Construction Certificate.

Reason: To protect Council's infrastructure.

45. 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 certificate.

Note that 20 parking spaces are to be removed near the Rauch Street frontage and of these 20 spaces, 11 parking spaces are to be relocated within the site away from any property boundaries adjoining the residential establishment to provide a total of 101 parking spaces which represented the parking demand at the full development of Campion College.

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

46. Bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3 - 2015. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

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

AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To ensure appropriate vehicular manoeuvring is provided.

Prior to the Commencement of Work

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

(a) Construction Management Plan for the Site

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

- i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- 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 any 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.

49. The trees identified for protection referenced in the Arboricultural Impact Assessment by Tree Wise Men (Ref No – 1288-15AIA) dated June 2015 shall be protected prior to and during the demolition/construction process in accordance with the documents referenced above.

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

50. Prior to works commencing, tree protection signage shall be attached to each tree protection zone, displayed in a prominent position and the sign repeated where the fence changes direction, Each sign shall contain in a clearly legible form, the following information:

- (a) That the tree protection zone is a No Go Zone
- (a) This fence has been installed to prevent damage to the trees and their growing environment both above and below ground and access is restricted
- (b) The name, address, and telephone number of the developer and site Arborist.

Reason: To protect existing trees during the construction phase.

51. The consent from Council is to be obtained prior to any pruning works being undertaken on any tree, including trees located in adjoining properties. Pruning

works that are to be undertaken must be carried out by a certified AQF Level 3 Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.

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

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

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

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

Reason: To provided adequate protection of trees

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

Reason: To ensure the protection of the trees.

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

Reason: To protect the environmental amenity of the area.

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

- (a) The Tree Protection Zone is a 'No-Go Zone';
- (b) This fence has been installed to prevent damage to the trees and their growing environment, both above and below ground level. Access to this area is restricted; and
- (c) The name, address, and telephone number of the developer and site Arborist.

Reason: To protect existing trees during the construction phase

57. Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:

- (a) appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed within 7 days; and
- (b) notify Council in writing of their intention to commence works (at least 2 days notice is required prior to the commencement of works).

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

Reason: To comply with legislative requirements.

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

Reason: To ensure adequate toilet facilities are provided.

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

Reason: To ensure public safety.

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

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

Reason: Statutory requirement.

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

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

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

- (a) The location of hazardous materials throughout the site;
- (b) A description of the hazardous material;

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

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

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

Reason: To protect the amenity of the area.

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

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

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

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

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

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

Reason: To protect Council's infrastructure.

67. The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on site.
Reason: To protect Council's assets throughout the development process.
68. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Principal Certifying Authority (and Council if not the PCA) of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters and drainage pits.
Reason: To ensure that the applicant bares the cost of all restoration works to Council's property damaged during the course of this development.
69. Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary.
Reason: To ensure soil and water management controls are in place be site works commence.
70. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site are to be maintained in a safe and tidy manner. In this regards the following is to be undertaken:
- I. all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
 - I. all site boundaries are to be secured and maintained to prevent unauthorised access to the site
 - II. all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis
 - III. the site is to be maintained clear of weeds
 - IV. all grassed areas are to be mown on a monthly basis
- Reason:** To ensure public safety and maintenance of the amenity of the surrounding environment.
71. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:
- Protect and support the adjoining premises from possible damage from the excavation

- Where necessary, underpin the adjoining premises to prevent any such damage.

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

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

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

Reason: To prevent any damage to underground utility services.

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

Reason: To comply with Council requirements.

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

Reason: To comply with Council requirements.

75. The design and construction of any food / beverage preparation facilities and waste storage areas associated with this activity shall satisfy the requirements of food safety standards prescribed under the Food Act 2003, as well as Australian Standard AS 4674 – 2004: 'Design, Construction and Fit-out of Food Premises'. Final design drawings for these areas are to be submitted to the principal certifying authority prior to commencement of work.

Reason: To ensure design of the premises meets relevant public health standards.

During Construction

76. Any fill material imported to the site is to be virgin excavated natural material (VENM) and is to be certified as such by a suitably qualified industry professional. Records of each individual certification are to be kept on site and produced for inspection when requested.

Reason: To ensure the site does not become contaminated and appropriate compaction levels can be achieved.

77. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.
Reason: To ensure appropriate disposal of asbestos materials.
78. All friable and non-friable asbestos-containing waste on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2005 and the EPA publication 'Waste Classification Guidelines - 2008' and any other regulatory instrument as amended.
Reason: To ensure appropriate disposal of asbestos materials.
79. 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.
80. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.
Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.
81. A copy of this development consent, stamped plans and accompanying documentation is to be retained for reference with the approved plans on-site during the course of any works. Appropriate builders, contractors or sub-contractors shall be furnished with a copy of the notice of determination and accompanying documentation.
Reason: To ensure compliance with this consent.
82. Noise from the construction, excavation and/or demolition activities associated with the development shall comply with the NSW Department of Environment and Conservation's Interim Construction Noise Manual 2009.
Reason: To protect the amenity of the area.
83. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction in accordance with the requirements of the NSW Department of Environment and Conservation (DEC). Dust nuisance to surrounding properties should be minimised.
Reason: To protect the amenity of the area.
84. No building materials skip bins, concrete pumps, cranes, machinery, signs or vehicles used in or resulting from the construction, excavation or demolition relating to the development shall be stored or placed on Council's footpath, nature strip or roadway.
Reason: To ensure pedestrian access.
85. All plant and equipment used in the construction of the development, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and

the like shall be discharged onto the building site, and is to be contained within the site boundaries.

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

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

Reason: To protect the amenity of the area.

87. 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.

88. 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 C1 of AS 2870 - 1996.

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

89. 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.

90. 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.

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

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

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

Reason: To protect the amenity of the area.

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

Reason: To ensure appropriate disposal of asbestos materials.

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

Reason: To ensure appropriate disposal of asbestos materials.

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

Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.

95. The proposed kerb inlet pit shall be constructed generally in accordance with Council Standard Plan No. DS21. Details of the proposed 1500mm x 1500mm pit and the connection details shall be submitted to the approval of the Council's Infra-structure unit.

Reason: To ensure appropriate drainage.

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

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

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

Reason: To protect public safety.

98. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer

Service Centre for the undermentioned activities on Council's property pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.
- (d) Kerbside restrictions, construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a construction zone, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.
Reason: Proper management of public land.

99. The applicant shall ensure that the recommendations of the flood impact report dated March 24, 2015 prepared by Stefani Group and the requirements of the flood risk management plan drawing No. 1234 dated 16/10/12 prepared by Stefani group have been incorporated to the building designs.

Reason: To ensure the design is compatible with the flooding requirements.

100. Any fill material, required by this consent, imported to the site is to be virgin excavated natural material (VENM) and is to be certified as such by a suitably qualified industry professional. The certification of each delivery is to be kept on site and produced for inspection if requested.

Reason: To ensure the site does not become contaminated and appropriate compaction levels can be achieved

101. 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.

Reason: To protect the amenity of the area.

102. The trees to be removed are identified in the submitted Arboricultural Impact Assessment Report by Tree Wise Men (Ref No – 1288-15AIA) dated June 2015:

Tree No's 1-9, 11-13, 16, 24, 25, 64-66, 68-76, 78-80, 83-86, 88-95, 100-102, 104-105, 135, 137, 143, 146-147, 149-157, 162-164, 169-179, 182-191, 195-196, 198, 200-202, 206-209, 212-213, 215, 218-219 and 221-223 require removal.

Reason: To facilitate development.

103. 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.

104. The applicant shall ensure that the Floor levels of the proposed buildings and the finished levels of the car parks are in accordance with the recommended levels as in the flood impact report prepared by Stefani group. A registered surveyor shall engage in confirming the levels.

(b) Flood warning signs are to be installed as recommended in the Flood Risk Management Plan prepared by Stefani group.

Reason: To ensure the recommendations of the flood impact report are satisfied.

Prior to release of Occupation Certificate

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

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

Reason: To ensure legislative compliance.

106. The Certifying Authority shall arrange for a qualified Landscape Architect/Designer to inspect the completed landscape works to certify adherence to the DA conditions and Construction Certificate drawings. All landscape works are to be fully completed prior to the issue of an Occupation Certificate.

Reason: To ensure restoration of environmental amenity

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

The record must include details of:

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

Reason: To ensure legislative compliance.

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

- The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate and variations are marked in red ink.
- The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- As built On-Site Detention (OSD) storage volume calculated in tabular form (depth verses volume table).
- OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
- Approved verses installed Drainage Design (OSD) Calculation Sheet.
- The original Work-As-Executed plans and all documents mentioned above have been submitted to Council's Development Services Unit.

Reason: To ensure works comply with approved plans and adequate information are available for Council to update the Upper Parramatta River Catchment Trust.

109. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works.

This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

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

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

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

110. 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.

111. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88B instrument for protection of on-site detention facilities and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on a scale sketch or a works as executed plan, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

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

112. All redundant lay-backs and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate. All costs shall be borne by the applicant, and works shall be completed prior to the issue of an Occupation Certificate.

Reason: To provide satisfactory drainage.

113. Certification to be provided to the principal certifying authority (PCA), prior to occupation, that the fitout of the food premises has been completed in accordance with plans complying with food safety standards prescribed under

the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004. It is incumbent on the PCA to determine the competency of the person providing this certification, based on that person's qualifications, experience and currency of practice.

Reason: To ensure construction and fitout of the premises meets relevant public health standards.

114. Any mechanical ventilation system/s installed or altered shall be in accordance with plans and specifications approved by the principal certifying authority (PCA). Certification that the system/s function in accordance with Australian Standard AS 1668 (Parts 1 & 2) must be submitted to the PCA prior to occupation of the building.

Reason: To comply with the Building Code of Australia / relevant Australian Standard.

115. Separate waste bins are to be provided on site for recyclable waste.

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

116. A trade waste agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'. Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund.

Reason: To ensure proper disposal of waste water.

117. A waste storage room/area 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

118. 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.

119. 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

120. Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Interim Australian Standard AS4282:1997 The Control of the Obstrusive Effects of Outdoor Lighting.

Reason: To protect the amenity of the surrounding neighbourhood from the emission of light.

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

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

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

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

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

122. The draft Plan of Management for the site shall be made fully operational prior to issue of Occupation Certificate. The contact details of the relevant Resident caretaker or Residential Coordinator shall be made readily available to the immediate neighbours for any escalation.

Reason: To ensure proper maintenance of amenity in the neighbourhood.

The Use of the site

123. The use of the premises not giving rise to:
- a. transmission of unacceptable vibration to any place of different occupancy
 - b. a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background (LA90)

noise level in the absence of the noise under consideration by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW EPA's Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

124. If a roller shutter door to be provided at the driveway entry and exit to the basement level car park, it is to be operated via remote control. A security access card reader may be installed for this development. However, it must be installed in the centre of the driveway and not on the wall and must comply with the Clause Nos. 3.3(b) of AS 2890.1-2004.

Reason: To comply with Australian Standards.

125. The back gate/entrance from Rausch Street will be locked and will remain accessible to service & emergency vehicles only.

Reason: To prevent loss of amenity to the area.

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

Reason: To ensure the removal of graffiti.

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

Reason: To minimise noise impact of mechanical equipment.

128. The development shall comply with the draft Plan of Management for the subject site.

Reason: To maintain amenity of the surrounding site.

129. The following hours of operation are approved for the development;

a. The operating hours of the administrative offices will be from 8:30am to 6:00 pm, Monday to Friday.

b. The operating hours the kitchen and dining room will be 7.00am-7.00pm, 7 days a week during semester times.

c. The operating hours of the Library will be as follows;

During Semester times:

9:00am to 5:00pm, Monday, Thursday and Friday,

9:00am to 9:00pm on Tuesdays and Wednesdays.

9:00am to 1:00 pm Saturday.

Outside of semester times :

9:00am to 5:00pm Monday to Friday

Reason : To maintain amenity of the site and immediate surrounds.

130. The number of persons on the premises must not exceed the following at any one time;
- a) Number of students at the college will be restricted to a maximum of 350 at any given point of time.
 - b) Number of administrative, academic and support staff on site will be restricted to a maximum of 45 at any given point of time.

Reason: To ensure compliance with this consent.

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

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