

COUNCIL ASSESSMENT REPORT

Parramatta City Council

File No: DA/131/2016

Panel Reference	JRPP Reference Number: 2016SYW043
DA Number	DA/131/2016
LGA	City of Parramatta Council
Proposed Development	<p>Construction of a four storey school building in association with an existing Educational Establishment known as the Maronite College of the Holy Family involving:</p> <p>*Demolition of an existing residential flat building at No.63 Weston Street, boundary fencing and demolition work to the eastern side of existing Block B and changes to ground levels;</p> <p>*Construction of a four storey addition with roof terrace to the east of Block B containing reception and office space, student amenities, general learning areas (GLAs) and outdoor play areas;</p> <p>* Landscape works including the removal of three trees along the eastern boundary, new landscaping along the Weston Street front setback and the eastern boundary, border planting on the new roof terrace;</p> <p>* Signage along the southern elevation of the new addition; and</p> <p>* Use of the building for the purposes of an Educational Establishment.</p>
Street Address	Lot 101 DP 1138519, CP SP 8802, 23 Alice Street, HARRIS PARK NSW 2150, 63 Weston Street, HARRIS PARK NSW 2150
Applicant/Owner	Leaf Architecture/ The Trustees of The Maronite Sisters and Maronite College of the Holy Family - Parramatta
Date of DA lodgement	9/3/16
Number of Submissions	Two (2) in total comprising one (1) on first notification and one (1) on second notification
Recommendation	Approval subject to conditions
Regional Development Criteria (Schedule 4A of the EP&A Act)	The development includes an educational establishment (Private infrastructure and community facilities) with a value of over \$5 million
List of all relevant s79C(1)(a) matters	State Environmental Planning Policy 55 – Remediation of Land, State Environmental Planning, State Environmental Planning Policy (Infrastructure) 2007, , Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) Parramatta LEP 2011, Parramatta Development Control Plan 2011

List all documents submitted with this report for the Panel's consideration	Statement of Environmental Effects	Robinson Urban Planning	4/3/16
	Waste Management Plan	Daniel Smith	19/2/16
	Arborist Report: Amended	Horticultural Management Services	10 May 2016
	Letter confirming school operating hours, existing and projected staff and student numbers, pedestrian access, details of students who drive to school, and construction management, tree management and confirmation that the school has no boarding facilities	Maronite College of the Holy Family	6 June 2016
	Tier 1 Preliminary Site Investigation	SESL Australia Environment & Soil Sciences	June 2016
	Energy Efficient Evaluation Section JV3 of NCC/BCA 2016	Partners Energy	25 February 2016
	Acoustic Report	Rodney Stevens Acoustic Consultants	12 April, 2016
Report prepared by	Stan Fitzroy-Mendis, Senior Development Assessment Officer		
Report date	24 September, 2016		

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report?

Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

Yes

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has

been received, has it been attached to the assessment report?	Yes
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Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)?	Not
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Applicable

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment?	Yes
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Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report



S79C ASSESSMENT REPORT

Environmental Planning & Assessment Act 1979

SUMMARY

DA No:	DA/131/2016
Property:	Lot 101 DP 1138519, CP SP 8802, 23 Alice Street, HARRIS PARK NSW 2150, 63 Weston Street, HARRIS PARK NSW 2150
Proposal:	<p>Construction of a four storey school building in association with an existing Educational Establishment known as the Maronite College of the Holy Family involving:</p> <ul style="list-style-type: none">*Demolition of an existing residential flat building at No.63 Weston Street, boundary fencing and demolition work to the eastern side of existing Block B and site works to achieve new levels;*Construction of a four (4) storey addition with roof terrace to the east of Block B containing reception and office space, student amenities, general learning areas (GLAs) and outdoor play areas;* Landscape works including the removal of three (3) trees along the eastern boundary, new landscaping along the Weston Street front setback and the eastern boundary, border planting on the new roof terrace;* Signage along the southern elevation of the new addition; and* Use of the building for the purposes of an Educational Establishment.
Date of receipt:	9 March 2016
Applicant:	Leaf Architecture
Owner:	The Trustees of The Maronite Sisters and

	Maronite College of the Holy Family - Parramatta
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor
Political donations/gifts disclosed:	None disclosed on the application form
Submissions received:	Two (2) in total comprising One (1) on first notification and one (1) on second notification
Recommendation:	Approval
Assessment Officer:	Stan Fitzroy-Mendis

Legislative requirements

Zoning LEP 2011	R4 High Density Residential
Additional Legislation	Heritage Act
Additional EPIs	SEPP 55, Clause 4.6 exceptions for height and FSR
Heritage	In vicinity of a heritage item
Heritage Conservation Area	Yes – Strategic Precinct Harris Park Area National Significance
Integrated development	No
Designated development	No
Crown development	No
Delegation	JRPP

REASON FOR REFERRAL TO JRPP

The proposed development has a Capital Investment Value of \$7,319,375. Clause 6 in Schedule 4A of the Environmental Planning and Assessment Act, 1979 requires private infrastructure and community facilities over \$5 million to be assessed by a regional panel exercising the consent authority functions of councils.

Relevant Site History:

- The school was founded in 1973 by the Maronite Sisters of the Holy Family as an infant/primary school with approximately 153 students. A secondary school

was introduced in 1988. The school now caters for approximately 1,200 students.

- The school is in proximity to Our Lady of Lebanon Church, located at 40 Alice Street, Harris Park. This church forms a part of the school.
- A pre-lodgement application (PL/27/2016) was submitted for development of this site on 16 February 2016. The application was however withdrawn by the applicant prior to assessment.

SECTION 79C EVALUATION

THE PROPOSAL

Approval is sought for demolition of an existing residential flat building and associated structures with alterations and additions to the existing 'Block B' building and associated site works. The current school campus is divided by a road separating some senior college facilities. The purpose of the development is to relocate all senior college uses to the same side of the campus.



Figure 1: Perspective of the proposed school building

Details are as follows:

Proposed demolition

- Demolition of an existing three (3) storey residential flat building, associated car port, retaining wall, boundary fence, and minor ancillary structures on land currently known as 63 Weston Street; and

- Minor demolition works at all levels of the eastern side of existing Block B of the school;

Proposed construction and use

- Construction of a new 4 storey school building with roof terrace to the east of existing Block B for an educational establishment. The proposed uses on the various levels are expressed in the following table:

Level	Proposed Use
1	College reception and administration offices, student amenities and a covered outdoor play area.
2	Five (5) learning areas, a classroom/studio, seminar room, and two (2) offices.
3	Three (3) learning areas, classroom/studio, seminar room and two (2) offices.
4	Two (2) learning areas, staff room with associated amenities, and a staff study room.
Roof	Terrace with outdoor area.

Proposed landscape works

- Removal of three (3) trees along the eastern boundary to allow for the proposed school building.
- New landscaping along the Weston Street front setback and the eastern side boundary setback and border planting on the new roof terrace.

Proposed new signage

- One new 1.2m by 1.2m identification sign with the following words 'Maronite College of the Holy Family' with the school crest. This sign is proposed on the southern façade of the new addition fronting Weston Street.

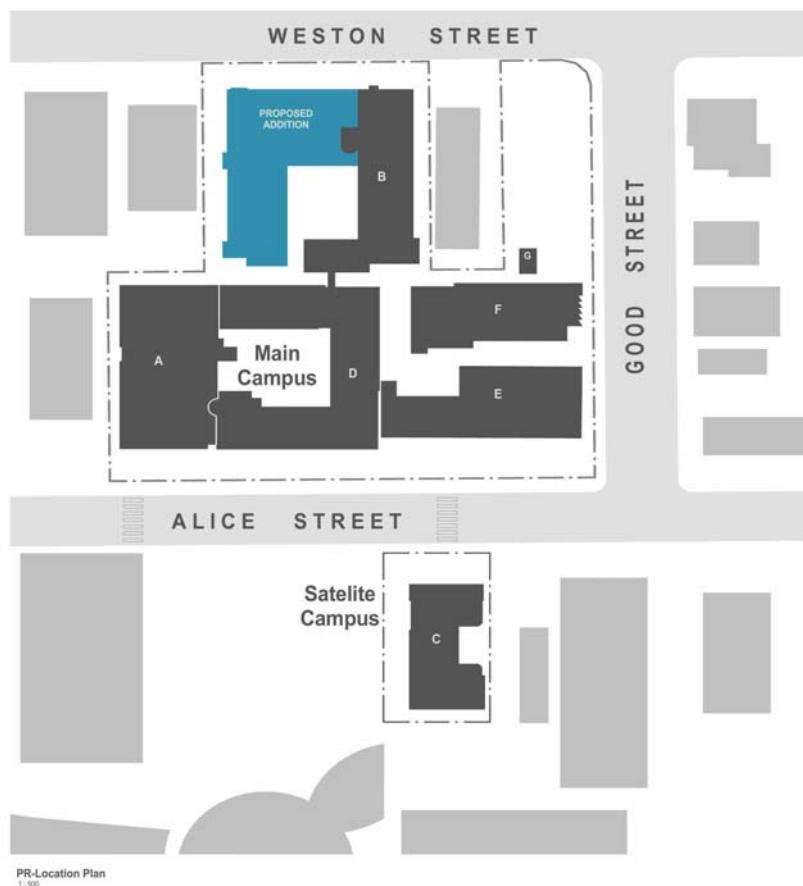


Figure 2: Diagram showing the location of the existing and proposed school blocks.

Amended Plans

During the course of assessment amended plans were submitted as follows:

1. Information from the school on hours of operations, existing and previous student numbers, student parking, day/boarders, and revised construction management statement;
2. Arborist Information on trees within the site;
3. Revised Architectural Plans with amendments at ground and roof top levels to improve insulation of school activities from neighbours;
4. Acoustic Report in association with amended plans;
5. Revised stormwater plans; and
6. Waste Management Plan.

The amended plans and documentation are the subject of this report.

PERMISSIBILITY

The site is zoned R4 High Density Residential under the provisions of Parramatta Local Environmental Plan 2011. The proposed development is defined as an

“educational establishment” under Parramatta Local Environmental Plan 2011 and is permissible with consent.

Zone Objectives

The proposed development is consistent with the aims and objectives of the R4 High Density Residential zoning applying to the land as the proposed works:

- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The proposal as amended provides for modernized educational establishment that can be utilized by surrounding residential areas. The amended plans and documents demonstrate acceptable physical and amenity impacts to the R4 High Density Residential neighbourhood. These are described below.

SITE & SURROUNDS

The school is comprised of two sites on either side of Alice Street. The part of the school complex relevant to the application is bounded by Alice Street to the north, Good Street to the west, and Weston Street to the south and is irregular in shape.



Figure 3: The site marked in red outline and the shaded area is the development area.

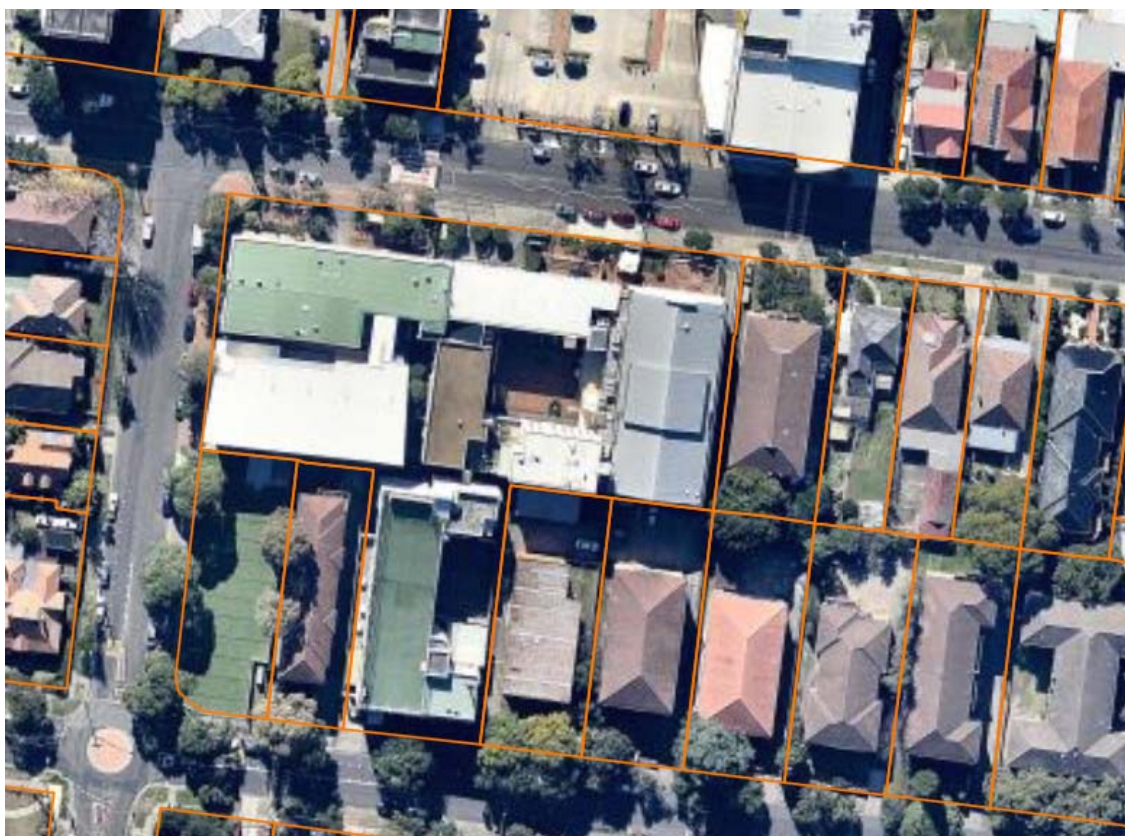


Figure 4: Site and adjoining sites identified by boundary by Nearmap

Site Areas

Parts of school	Site area
23-25 Alice Street	7,284.29 sqm
63 Weston Street	1,101 sqm
Total	8,385.29 sqm

Adjoining Development:

North	Beyond Alice Street to the north is Block C and is known as 36 Alice Street. Our Lady of Lebanon Church which is affiliated with the school is also located to the north of the site at 40 Alice Street.
South	To the south beyond Weston Street are three (3) and four (4) storey residential flat buildings.
East	Adjoining the site to the east is a three (3) storey residential flat building identified as 61 Weston Street.
West	To the west beyond Good Street are a row of 1 and 2 storey dwellings.

ENVIRONMENTAL PLANNING INSTRUMENTS

STATE ENVIRONMENTAL PLANNING POLICY (URBAN RENEWAL) 2010

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

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

The site is identified as being within a precinct identified for renewal and revitalisation. Assessment against the relevant provisions of the SEPP are as follows:

- Section 3 outlines the aims for the SEPP. The aims of the policy are to establish a process for assessing and identifying sites for urban renewal that are accessible by public transport. The Harris Park precinct where the site is located is nominated as an urban renewal precinct.
- Sections 10(2) to 10(3) require the consent authority to be satisfied that the development is consistent with the objective of developing the potential precinct for urban renewal and whether a proposal encourages development for higher density housing, commercial, or mixed use development through the amalgamation of sites and the development of infrastructure. The proposal consolidates a site to provide a better organised educational establishment where all senior college students are located in the same part of the campus. These improved facilities in turn provide greater scope for activation and urban renewal in this special precinct. This proposal is consistent with the stated aims above of the SEPP.

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

Summary

The site is not identified in Council's records as being contaminated however a historical analysis and site inspection of the development site reveals it was previously used as an orchard. In addition the apartment building on the subject site has a number of carports to the rear which are proposed for demolition and replacement with an educational facility building. Due to the sensitive educational facility land use a preliminary Site Investigation Report was required. A report dated June 2016 by SESL Australia Environment & Soil Sciences, Tier 1 Preliminary Site Investigation was submitted to Council.

Council's Environmental Health (Contamination) Officer found the application satisfactory subject to special and standard conditions for investigation during the course of demolition. These form part of the recommendation.

Assessment

An assessment of the application has been undertaken on the basis of Clause 7(1), 7(2) and 7(3) of SEPP 55 and the Managing Land Contamination Planning Guidelines 1998 for assessing potential contamination of a site. The following is a checklist for the evaluation:

- Is the planning authority aware of any previous investigations about contamination on the land? What were the results including any previous evaluations?

Planning Comment: Council records show no evidence of previous investigations for contamination of the land the subject of this application.

- Do existing records of the planning authority show that an activity listed in Table 1 has ever been approved on the subject land? (The use of records held by other authorities or libraries are not required for an initial evaluation).

Planning Comment: Council and applicant records show that agricultural and horticultural activities occurred on the site. These are identified in the table below that may result in contamination.

Acid/alkali, plant and formulation	Landfill sites
Agricultural/horticultural activities (our emphasis)	Metal treatment
Airports	Mining and extractive industries
Asbestos production and disposal	Oil production and storage
Chemicals manufacture and formulation	Paint formulation and manufacture
Defence works	Pesticide manufacture and formulation
Drum re-conditioning works	Power stations
Dry cleaning establishments	Railway yards
Electrical manufacturing (transformers)	Service stations
Electroplating and heat treatment premises	Sheep and cattle dips
Engine works	Smelting and refining
Explosives industry	Tanning and associated trades
Gas works	Waste storage and treatment
Iron and steel works	Wood preservation

Table 1: Some Activities that may cause contamination

- Was the subject land at any time zoned for industrial, agricultural or defence purposes?

Planning Comment: The current zoning for the site is R4 High Density Residential under Parramatta Local Environmental Plan 2011. Council's records show that the site was used for agricultural purposes prior to being used for a school.

- Is the subject land currently used for an activity listed in Table 1 above?

Planning Comment: Council records and a site inspection reveal that the land is not currently used for a purpose identified at Table 1 above.

- To the planning authority's knowledge was, or is, the subject land regulated through licensing or other mechanisms in relation any activity listed in Table 1?

Planning Comment: No.

- Are there any land use restrictions on the subject land relating to possible contamination such as notices issued by the EPA or other regulatory authority?

Planning Comment: No.

- Does a site inspection conducted by the planning authority suggest that the site may have been associated with any activities listed in Table 1?

Planning Comment: A number of site inspections were undertaken during the course of assessment. No activities in Table 1 were identified.

- Is the planning authority aware of information concerning contamination impacts on land immediately adjacent to the subject land which would affect the subject land?

Planning Comment: No. The adjoining sites are currently being used for high density residential development.

- Has the applicant for development consent carried out the investigation required by subclause 7(2) of SEPP 55 and provided a report on it to the consent authority.

Planning Comment: Yes.

Summary: In view of the above evaluation, and considering the requirements of SEPP55 and the Managing Land Contamination Planning Guidelines 1998, a Stage 1 Preliminary Assessment was submitted and assessed by Council's Environmental Health Officer. Subject to standard and special conditions, the site is suitable for its proposed use and Clause 7 of SEPP 55 is satisfied.

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

Complies

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

Complies

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

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 trigger a written referral to the energy authority.

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 Alice and Weston Streets is less than 40,000 vehicles.

Pursuant to Clause 104 of the SEPP the application was referred to Roads and Maritime Services (RMS) for comment. The RMS wrote correspondence to Council dated 21 April, 2016 raising no objection to the proposed development.

COMPLIANCE TABLE - PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2011

The proposed development requires a variation to the maximum building height and floor space ratio as follows:

Control	Standard	Proposed	Complies
Height	13m	14.7m	No*
FSR	0.8:1	1.24:1	No*

*Assessment of the Clause 4.6 variations are included below:

4.6 Exceptions to development standards within LEP 2011

Variation sought to Height Development Standard

The provisions of Clause 4.6 are set out as follows:

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 for the development standards under clause 4.6 was lodged as the proposed development exceeds the Maximum Building Height control and Floor Space Ratio defined in Clause 4.3 of the LEP by 13% (1.7m). This exception is supportable as discussed in further detail in the above table and below. The image below outlines the point of the variation:



Figure 5: Elevations outlining the encroachments to the maximum height control. The dotted red line across the top of the building represents the 13m height control.

The applicant addresses the requirements under part 3 outlined above in the following way:

“Flexibility is appropriate in this instance given that:

- The 13m height standard has not been consistently applied on the site, as some of the existing buildings exceed the 13m height standard;
- The proposal makes use of and retains the existing building on site. As a result, the floor levels and building height of the addition are largely driven by the existing structure to be retained. The new building addition relies on existing floor levels and matches the maximum RL height of the existing building to be retained, resulting in a minor height non-compliance with the site falling away to the east;
- The functional requirements of the development necessitate a built form that has a height greater than 13m, with the non-complying elements generally limited to the lift overrun and fire escape stairs. These protrusions are minor, and will not be readily visible from surrounding vantage points and have been treated to provide visual interest to the building addition;
- The main roof form of the new building addition has been designed to comply with the 13m building height standard. This results in a building that is consistent with the scale of development on site and within the surrounding area;
- Due to the non-complying components of the building being minimal, and the main roof form complying, there is not a significant difference in

visual impact between the proposed building addition and a complying development;

- The additional height above the building height standard is sited and designed in a manner that is unlikely to result in significant adverse impacts upon adjacent properties or the public realm by way of overshadowing, visual massing, view loss or privacy impacts;
- The non-complying elements of the building are set back from the property boundaries and therefore the interface with those properties will not generate any significant visual or privacy impacts;
- The proposed new addition is commensurate in bulk and scale with the form of development typical of Zone R4, with the high-density residential zone characterised by residential flat buildings (RFBs). The proposed bulk and scale of the school building addition displays a similar height and scale to that of a RFB and is therefore acceptable within the context of its R4 Zoning. The proposed expansion of the College to include 63 Weston Street is being driven by the need to resolve a significant safety and ongoing operational issue. By relocating current College activities from Block C to the Main Campus, the senior school facilities will be housed within the south-east portion of the site. Vastly improving the safety and amenity of the College for its students and staff;
- It is the intention of the College to provide an outdoor learning and play area at the roof level, by taking advantage of the otherwise under utilised space, to support the recreational needs of its students. This design approach has clear benefits for the school, as it provides a large, flat, unencumbered area for students to learn and play in;
- The photomontages at Figures 4 and 5 illustrate that the proposed building addition sits comfortably within the streetscape of Weston Street;
- A high standard of architectural design is proposed, noting DAPs support of the proposal in its current form:

"The Panel in general is very supportive of this proposal both in its functionality, its scale and formal expression. This lends support for minor concessions in regard to height and FSR variances"

- As requested by DAP and the JRPP the roof sails comprise a decorative element to the uppermost portion of the building and do not result in the creation of additional floor space. They are set back from the roofs boundary and form an integral part of the buildings architectural design

- As detailed in Section 5.0 of the SEE, the proposal will not give rise to any unreasonable or unexpected adverse amenity impacts for surrounding properties (in terms of overshadowing, noise, views/outlook and privacy impacts);
- As detailed within the Acoustic Report by Rodney Stevens Acoustics the proposal is capable of complying with the noise criteria subject to the recommendations contained within the report (this have been adopted and included within the revised architectural plans);
- As demonstrated later at Section 3.0, the 13m height standard in PLEP 2011 has to some effect been abandoned on the site;
- The objectives of Zone R4 and the height standard are achieved (see later);
- The height standard is not excluded from the clause. Compliance with the 13m height standard in PLEP 2011 is unreasonable and unnecessary and there are sufficient environmental planning grounds to justify contravening the standard for the reasons noted above at subclause (1);

It satisfies the relevant objectives of the height standard (cl. 4.3(1)) as follows:

(a) To nominate heights that will provide a transition in built form and land use intensity within the area covered by this Plan

The proposal is consistent with the desired future character of the site and surrounding high density area, whilst also providing a suitable transition and interface between the site and adjoining residential properties.

The proposal makes use of and retains the existing building on site, with the new addition matching the maximum RL height of the existing building. The new building addition therefore presents as a seamless extension to the existing school building on the site.

The new addition will also match the front setback of the existing building, and primarily matches the side boundary setback of the existing RFB (to be demolished) and therefore the interface with those properties will not generate any significant impacts over and above existing conditions.

(b) To minimise visual impact, disruption of views. loss of privacy and loss of access to existing development

The proposal has been designed to minimise loss of privacy and is of a contemporary aesthetic that will not give rise to visual impact. The portions of the building that result in the most significant projections are the lift overrun and fire escape stairs. These

parts of the building are confined to three small areas, are setback from the street frontage, and will therefore not be readily visible from surrounding vantage points. The proposal is also fully compliant with the building height requirements at the southern elevation (fronting Weston Street) therefore the most prominent elements of the building appear to be fully compliant with the height controls and the development is of a scale that is consistent with the site.

In relation to overshadowing, and as detailed within the SEE, overshadowing impacts are minimal and entirely reasonable. The additional shadow impacts of the non-compliant portions of the building are negligible.

(c) To require the height of future buildings to have regard to heritage sites and their settings

The site is not identified as a Heritage Item and it is not located within a Heritage Conservation Area. Further the site is not in the vicinity of any Heritage Items. The proposed school addition will therefore not impact on any existing Heritage Items or their settings.

(d) To ensure the preservation of historic views

As outlined within Parramatta Development Control Plan 2011 (PDCP 2011), the site is not affected by any significant view corridors.

The proposed addition is generally located within an existing building footprint (RFB to be demolished) and existing landscaped areas are to be maintained, so existing views will be preserved.

(e) To reinforce and respect the existing character and scale of low density residential areas

The site is located in a high-density residential zone. The majority of buildings in the vicinity of the proposed works (Weston Street) are RFBs, three to four storeys high; therefore the proposal is consistent in bulk and scale with the existing and proposed development near the site.

(f) To maintain satisfactory sky exposure and daylight to existing buildings within commercial centres, to the sides and rear of tower forms and to key areas of the public domain, including parks, streets and lanes.

The site is located within a residential zone, not a commercial centre, and as detailed within this Clause 4.6 request and the SEE, the height non-compliance does not give rise to any unreasonably adverse overshadowing, privacy, view, bulk/scale/streetscape, heritage or other environmental effects. Further, due to the minor nature of the non-compliances (being limited to the lift overrun, fire stair and terrace elements), the development is generally indistinguishable from a fully compliant scheme. As such, the proposed addition maintains satisfactory sky exposure and daylight to existing buildings, and the street.

3.0 *Wehbe v Pittwater Council* [2007] NSW LEC 827

In his decision in *Wehbe v Pittwater Council* (2007J NSW LEC 827, Chief Justice Preston expressed the view that there are five different ways in which an objection may be well founded and that approval of the objection may be consistent with the aims of the policy. The five tests are considered below.

- (i) *The objectives of the standard are achieved notwithstanding non-compliance with the standard*

Consistency with the objectives of the standard, and the absence of any environmental impacts, would demonstrate that strict compliance with the height standard is both unreasonable and unnecessary in this instance. As noted In Table 2, the proposal is consistent with the height standard objectives to (d) 4.3, of PLEP 2011 satisfying Wehbe test (i). As such, it is unreasonable and unnecessary in this circumstance to comply with the development standard.

- (ii) *The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;*

Not applicable. The underlying objective or purpose of the standard is relevant to the development and is achieved as outlined in (i) above.

- (iii) *The underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;*

Not applicable. The underlying object or purpose of the height standard would not be defeated or thwarted if compliance was required.

- (iv) *The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and*

The 13m height standard in PLEP 2011 has to some effect been abandoned on the site as the existing building with a height of 14.7m exceeds the height standard. The proposal the subject of this DA has been designed to match the existing to be retained building on site. Given the above, compliance with the height standard in this instance is unnecessary and unreasonable.

- (v) *The zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zone is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary.*

That is, the particular parcel of land should not have been included in the particular zone. Inclusion of the site in Zone R4 is appropriate given that educational establishments are permitted with consent in the zone.

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

1. *Is the planning control a development standard?*

Clause 4.3 is a development standard.

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

The relevant objects or purposes of Clause 4.3 are to:

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

3. *Is compliance with the development standard consistent with the aims of the Development Standard, 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 proposed variation will have minimal visual impact, will not disrupt any significant view, will not impact on the privacy of adjoining sites, and will not impact on the solar access received by adjoining sites. The site will be of consistent scale with surrounding future development and the building otherwise sits reasonably within its designated envelope. The proposal therefore is consistent with the aims of the development standard.

The proposed variation will pose no hindrance to the objectives in Section 5(a)(i) and (ii) of the EP & A Act being:

- the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment, and
- the promotion and co-ordination of the orderly and economic use and development of land.

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

The proposed building fits reasonably within its designated setbacks and the breach of the height limit is proposed by a means of minimizing the bulk of the development while also minimizing physical impacts on the streetscape and adjoining properties. In numeric terms, the greatest element of departure comprises the staircase and lift over run structure.

It is therefore considered in this instance that compliance with the development standard would be unreasonable and unnecessary in this case.

5. *Is the exception well founded?*

It is considered that the exception proposed is well founded given the circumstances of the site and of the proposal.

Variation sought to Floor Space Ratio Development (FSR) Standard

The following is an assessment of the variation sought to the FSR standard:

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.
5. 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.
6. 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.

- (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.

The applicant made the following submission about the departure in FSR:

Flexibility is appropriate in this instance given that:

- The 0.8:1 FSR standard, which would normally reflect a general residential density form, is not reflective of the sites high-density residential zoning.
- The 0.8:1 FSR standard does not appropriately reflect the existing educational establishment on the site.
- The FSR standard has not been consistently applied on the site, as the existing buildings exceed the 0.8:1 FSR standard
- The functional requirements of an educational establishment necessitate a built form that has an FSR greater than 0.8:1
- The proposed development achieves a better outcome for and from the development, allowing flexibility In this case:
- The new building addition is critical for the long-term viability of the College as it provides the opportunity to resolve a significant operational issue, most notably the poor connection between the Main Campus and Block C located on the opposite side of the Alice Street. By relocating current College activities from Block C to the Main Campus, the senior school facilities will be housed within the south-east portion of the Main Campus. Vastly improving the safety and amenity of the College for its students and staff.

(2) Development may contravene a standard

The FSR standard is not excluded from the clause.

(3) Written request required that seeks to justify the contravention of the 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.

Compliance with the 0.8:1 FSR standard in PLEP 2011 is unreasonable and unnecessary as:

- The proposal makes use of and retains the existing building on site. With the proposed addition designed to present as a seamless extension to the existing school building on the site.
- The southern elevation (Weston Street) has an appropriate street building height that sits comfortably within the streetscape, and the existing school buildings positioned around it.
- As detailed in this SEE, the additional GFA is sited and designed in a manner that does not result in significant adverse impacts upon adjacent properties or the public realm by way of overshadowing, visual massing, view loss or privacy impacts
- The new addition will match the front setback of the existing building, and primarily matches the side boundary setback of the existing RFB (to be demolished) and therefore the interface with those properties will not generate any significant impacts over and above existing conditions

See also points at subclause (1) above.

There are sufficient planning grounds to justify contravening the development standard:

As detailed in this clause 4.6 request the FSR non-compliance does not give rise to any unreasonably adverse overshadowing, privacy, view, bulk/scale/streetscape, heritage or other environmental effects

See also points at subclause (1), (3) and (4).

(4) Development consent must not be granted unless:

(a) the consent authority is satisfied that:

(i) the written request has addressed subclause (3)

(ii) the proposed development is in the public interest (consistent with the objectives of the standard and the zone)

(b) the concurrence of the Director-General has been obtained.

See also points at subclause (1), (3) and (4).

Subclause 3 has been adequately addressed (see above).

The proposal is in the public interest as it is consistent with the objectives of the standard and the zone as detailed below:

FSR Objectives

The proposal satisfies the relevant objectives of the FSR standard (Cl. 4.4(1)) as follows:

(a) To regulate density of development and generation of vehicular and pedestrian traffic;

- (b) To provide a transition in built form and land use intensity within the area covered by this Plan;*
- (c) To require the bulk and scale of future buildings to have regard to heritage sites and their settings,*
- (d) To reinforce and respect the existing character and scale of low density residential areas.*

Objective (a)

Objective (a) seeks to regulate the density of development and the generation of pedestrian and vehicular traffic. The proposal is for alterations and additions to the existing College buildings only. No alterations to the existing pedestrian access, vehicular access or on-site parking arrangements are proposed. In addition, the DA does not seek to increase the student or staff population. Therefore there should be no Impact to current access, parking and traffic conditions.

However, as a result of relocating current school activities from Block C to the Main campus, students will no longer be required to move between the two College sites. The number of students having to cross the pedestrian crossing on Alice Street will therefore be significantly reduced, improving pedestrian safety and traffic flow in the area.

Objective (b)

Objective (b) aims to provide a transition in built form and land use intensity, within the Local Government Area (LGA). The proposal is consistent with the desired future character of the site and surrounding high density area, whilst also providing a suitable transition and interface between the site and adjoining residential properties.

The new addition will match the front setback of the existing building, and primarily matches the side boundary setback of the existing RFB (to be demolished) and therefore the Interface with those properties will not generate any significant Impacts over and above existing conditions

Objective (c)

Objective (c) seeks to ensure that buildings have regard to heritage sites and their settings. The proposal is in the public interest as it consistent with the objectives of the standard and the zone as detailed below:

FSR Objectives

The proposal satisfies the relevant objectives of the FSR standard (Cl. 4.4(1)) as follows:

- (a) To regulate density of development and generation of vehicular and pedestrian traffic;*
- (b) To provide a transition in built form and land use intensity within the area covered by this Plan;*
- (c) To require the bulk and scale a/future buildings to have regard to heritage sites and their settings;*

- (d) *To reinforce and respect the existing character and scale of low density residential areas.*

Objective (a)

Objective (a) seeks to regulate the density of development and the generation of pedestrian and vehicular traffic. The proposal is for alterations and additions to the existing College buildings only. No alterations to the existing pedestrian access, vehicular access or on-site parking arrangements are proposed. In addition, the DA does not seek to increase the student or staff population. Therefore there should be no impact to current access, parking and traffic conditions.

However, as a result of relocating current school activities from Block C to the main campus, students will no longer be required to move between the two College sites. The number of students having to cross the pedestrian crossing on Alice Street will therefore be significantly reduced, improving pedestrian safety and traffic flow in the area.

Objective (b)

Objective (b) aims to provide a transition in built form and land use intensity, within the Local Government Area (LGA). The proposal is consistent with the desired future character of the site and surrounding high density area, whilst also providing a suitable transition and interface between the site and adjoining residential properties.

The new addition will match the front setback of the existing building, and primarily matches the side boundary setback of the existing RFB (to be demolished) and therefore the Interface with those properties will not generate any significant Impacts over and above existing conditions

Objective (c)

Objective (c) seeks to ensure that buildings have regard to heritage sites and their settings.

The site is not identified as a Heritage Item and It Is not located within a Heritage Conservation Area. The site is also not in the vicinity of any Heritage Items. The proposed school addition will therefore not Impact on any existing Heritage Items or their settings.

Further, the proposed addition is generally located within an existing building footprint (RFB to be demolished) and existing landscaped areas are to be maintained, so the proposed development will have limited Impact on the streetscape and surrounding area over and above existing conditions.

Objective (d)

In relation to the built form context, and the desire to preserve existing low density residential areas. The site is located in a high-density residential zone. The majority of buildings in the vicinity of the proposed development (Weston Street) are RFBs. three

to four storeys high, and are therefore consistent in bulk and scale with the existing and proposed development on site. The proposed development is therefore consistent with the FSR objectives.

Zone Objectives

The proposal satisfies the objectives of Zone R4 - High Density Residential as follows:

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

The proposal continues to provide an approved facility/service that meets the day-to-day needs of the community, being the education of children.

The site is located in close proximity to a number of different public transport options (Bus and Train), and is easily accessible.

The objectives of the zone would be defeated and thwarted if compliance with the FSR standard was required as it would preclude the construction of community Infrastructure on the site.

(5) The Director-General must consider:

- (a) whether contravention raises any matter of significance for State or regional environmental planning;
- (b) the public benefit of maintaining standard.

The non-compliance with the FSR standard does not raise matters of significance for State or regional planning in fact the proposed educational buildings are comparable to other educational buildings throughout NSW.

No matters of public interest arise as the impacts of the non-complying element are reasonable.

3.0 Wehbe v Pittwater Council [2007] NSW LEC 827

In his decision in *Wehbe v Pittwater Council* [2007] NSW LEC 827, Chief Justice Preston expressed the view that there are five different ways in which an objection may be well founded and that approval of the objection may be consistent with the aims of the policy. The five tests are considered below.

(1) The objectives of the standard are achieved notwithstanding non-compliance with the standard Consistency with the objectives of the standard, and the absence of any environmental Impacts, would demonstrate that strict compliance with the FSR standard is both unreasonable and unnecessary In this Instance.

As noted in Table 2, the proposal is consistent with the objectives to d. 4.4, satisfying Wehbe test (I). As such, It is unreasonable and unnecessary In this circumstance to comply with the development standard.

(ii) the underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary;

Not applicable. The underlying objective or purpose of the standard is relevant to the development and is achieved as outlined in (I) above.

(iii) the underlying object of purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable;

Not applicable. The underlying object or purpose of the standard would not be defeated or thwarted if compliance was required.

(iv) the development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable; and

This exception to development standards request does not rely on this reason.

(v) the zoning of the particular land is unreasonable or inappropriate so that a development standard appropriate for that zoning is also unreasonable and unnecessary as it applies to the land and compliance with the standard would be unreasonable or unnecessary. That is, the particular parcel of land should not have been included in the particular zone.

This exception to development standards request does not rely on this reason.

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

1. Is the planning control a development standard?

Clause 4.3 is a development standard.

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

The relevant objects or purposes of Clause 4.3 are to:

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

3. Is compliance with the development standard consistent with the aims of the Development Standard, 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 proposed variation will have minimal visual impact, will not disrupt any significant view, will not impact on the privacy of adjoining sites, and will not impact on the solar access received by adjoining sites. The site will be of consistent scale with surrounding future development and the building otherwise sits reasonably within its designated envelope. The proposal therefore is consistent with the aims of the development standard.

The proposed variation will pose no hindrance to the objectives in Section 5(a)(i) and (ii) of the EP & A Act being:

- the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment, and
- the promotion and co-ordination of the orderly and economic use and development of land.

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

The proposed building fits reasonably within its designated setbacks and the breach of the height limit is proposed by a means of minimizing the bulk of the development while also minimizing physical impacts on the streetscape and adjoining properties. In numeric terms, the greatest element of departure comprises the staircase and lift over run structure.

This would be a building that would have a greater impact on neighbouring residences, on the amenity of future occupants, and on the streetscape. No approval is sought to enlarge the student or staff population, which in turn results in an acceptable.

It is therefore considered in this instance that compliance with the development standard would be unreasonable and unnecessary in this case.

5. Is the exception well founded?

It is considered that the exception proposed is well founded given the circumstances of the site and of the proposal.

Control	Requirement	Proposal	Complies with controls
Landscaping and deep soil	<p>Minimum landscaped area of 30% = 2,515.5m² required.</p> <p>50% of landscaped area to be deep soil and located at the rear.</p> <p>(HARRIS PARK STRATEGIC PRECINCT)</p>	<p>2,347.8m² or 28%</p> <p>2,264m² or 96%</p>	<p>No</p> <p>Yes</p>
<p>The proposal results in a 167.7sqm or (2%) departure in the landscape area control. This departure is due to the configuration and floor space of the proposed new school block. There are undercroft play areas and roof top open space areas proposed for students, as well as the retention of vegetation and the planting of new landscaping on the campus, particularly at the interface with the adjoining residential development. In this context the 2% numerical departure is acceptable in the circumstances.</p>			
View Corridors	Significant historic view corridors to be protected	Historic view corridors not affected.	Yes
Area of National Significance	Scale, form, siting, and materials must not adversely affect the heritage significance of the area and not impact on views to and from Elizabeth Farm House, Experiment Farm Cottage and Hambledon Cottage, the Female Orphan School (UWS Rydalmere Campus), the Parramatta River corridor and the Pennant Hills open space ridge line.	The site is sufficiently distant from the heritage items and will not result in significant impacts to views to and from the Area of National Significance	Yes
Section 5.3.3 Places of Public Worship and Educational Establishments			
Locational Requirements	FSR and Height controls applicable to	Noted and discussed above and in the urban design	

	<p>other uses are also applicable to schools</p> <p>Site planning must be sensitive to the streetscape character and views.</p> <p>Landscaping must be sensitive to the streetscape and views</p>	<p>comments.</p> <p>Noted and discussed above and in the urban design comments.</p> <p>The proposal is under numeric requirements for landscaping but this landscaping is predominantly deep soil.</p>	Yes
Acoustic Privacy	Acoustic impacts of the design to residential uses	The undercroft and roof top play areas may result in acoustic impacts to residential uses. Amended plans were received with partial enclosure and landscaping to the undercroft play space. These amended plans were accompanied by an acoustic report, which Council's Health Officer finds satisfactory subject to recommended conditions.	Merit assessment



Figure 6: Detail of the revised plan Issue C above shows the undercroft area enclosed with an acoustic wall to shield noise to the adjoining residential flat building. The amendments were accompanied with an acoustic report assessing noise impacts to adjoining property. This has been assessed by Councils Health (Acoustic) Officer and found to be satisfactory subject to standard conditions.

Open Space Areas	Open space areas are required to be shown on plan for assessment including measures to mitigate against amenity impacts.	Open space areas are shown on plan. Amended plans were received requiring screening. An acoustic report also accompanied the amended plans There is no increase in staff or student numbers proposed.	Merit assessment
Traffic, Parking, and Access	Ensuring pedestrian safety, efficient road network, reduce parking impacts to surrounding streets, and improve amenity.	A traffic and parking impact assessment was provided with the application.	Merit assessment
Operational Plans of Management	Operational plan of management must be provided	No increase in staff or students is proposed.	Merit assessment

REFERRALS

Design Excellence Advisory Panel

The following comments are from DEAP:

1. The Panel in general is very supportive of this proposal both in its functionality, its scale and formal expression. This lends support for minor concessions in regard to height and FSR variances.
2. There are a number of minor issues which the Panel would like to draw attention to as follows:

DEAP comment	Amendments by the applicant
As a public building it is incumbent on the design to demonstrate DDA compliance (universal access). The current design has a combination of ramp access and stairs at the entry from Weston Street which could readily be eliminated by redesigning and extending the ramp.	The revised plans clarify the intended ramp network to connect the Weston Street footpath to Level 2 of the existing Block B building. Refer to architectural drawing DA 101_B.

<p>The interface along the boundary of 61 Weston Street needs further consideration. The undercroft area between stairs 1 and 2 needs to be designed with acoustic attenuation in mind and visual screening such as planting to maintain the privacy and amenity of the neighbouring residents.</p>	<p>Following the receipt of the above advice, the architectural and landscape plans were amended to reflect the requirements for additional screening and a glass wall at the ground floor level (refer to Figure 6 above). Refer to landscape plan L-Ot Issue C. An acoustic report was also submitted and assessed by Council to satisfactorily address noise.</p>
<p>It is recommended that the rooftop planting continue along the full extent of the eastern edge to minimise overlooking to the neighbouring residential.</p>	<p>Following the receipt of the above advice, the landscape plan has been amended to reflect the requirements for additional planting on the rooftop. Refer to landscape plan L-02...D.</p>
<p>It is noted that there are a number of toilets on the roof terrace addition to enhance the utility and amenity of this area, and at least one of these should be designed as accessible. It is suggested that a lightweight shaded area also be incorporated over the tables and benches, together with a sink and power.</p>	
<p>The Panel felt that the massing and modulation of the building successfully integrates the old with the new and does not require an extension of the concrete block-work language.</p>	<p>Noted</p>
<p>The Panel suggest reconsideration of the rough face concrete block proposed to the central part of the elevation to Weston Street and believe that a finer and higher quality material such as darker smooth face brickwork be considered.</p>	<p>Following the receipt of the above advice, the selection of materials was altered to reflect: a finer grain of material-namely brickwork. It is now proposed to use a brick with a dark tone. Refer to material selections in the bottom right-hand portion of architectural drawing DA20LB.</p>

Subject to the amendments above DEAP were satisfied that the application did not require further assessment by DEAP.

Urban Design

Urban Design comments are as follows:

Our key comments relating to the urban design, built form and amenity have been summarised below:

Variation to LEP Height Control (13m)

- *The proposal seeks a variation of 1.7m (13%) to the existing 13m height limit. The noncomplying elements are generally limited to the lift overrun and fire escape stairs.*
- *From an Urban Design perspective, I have no objections to the requested height variation.*

Planning Comment: Urban Design support the height variation.

Variation to LEP Floor Space Ratio Control (0.8:1)

- *The existing FSR control of 0.8:1, is primarily used to control high density general residential development.*
- *It is acknowledged that the functional requirements of an educational establishment necessitate a built form that has an FSR greater than 0.8:1. The proposal results in an FSR of 1.25:1.*
- *From an Urban Design perspective, I have no objections to the requested FSR variation.*

Planning Comment: Urban Design support the Floor Space Ratio variation.

Streetscape - Weston Street

- *The new addition has been designed to match the bulk and scale of the existing building on the site. This results in a new building addition presenting to the street as a seamless extension to the existing building on site.*
- *The new additional will match the existing front setback of the existing building, being 6.67m from Weston St.*

Planning Comment: Urban Design support the streetscape presentation of the proposal.

Side + Rear Setbacks

- *The new addition will primarily match the existing side boundary setback of the existing RFB (to be demolished), with a side setback from its eastern boundary of 4.055m-5.090m.*
- *However, there is a concern that the bulk and scale of the proposed development will affect the levels of solar access and privacy to the adjoining residential development at 61 Weston St.*

- *It is recommended that the applicant provide further details regarding the existing and proposed overshadowing impacts onto the existing residential development at 61 Weston Street in the form of elevations and/or 3D perspectives that illustrate the extent of additional overshadowing.*

Planning Comment: Urban Design acknowledges the side setbacks of the existing residential flat building match the proposed educational establishment building. Existing and proposed shadow plans were submitted with the application showing the extent of overshadowing to the adjoining residential flat building at No. 61 Weston Street. Noting that the long axis of the development site is orientated north-south, in both the existing and proposed situations shadow impacts to No. 61 Weston Street are experienced from 3:00pm onward. The residential flat building proposed for demolition extends to the north of the subject site. The proposed new school building adjoining No. 61 Weston Street is set further south. Consequently solar access to the northern (rear) elevation of No. 61 Weston Street will actually be improved and the overall development will comply with Council's solar access controls.

Roof Terrace, Undercroft and Open Play Area

- *The application does not provide sufficient detail as to how acoustic and privacy impacts will be mitigated from the proposed undercroft area and roof terrace.*
- *The landscape plan indicates the eastern boundary setback as an 'open play area' that is integrated with the undercroft area. This is not considered an appropriate use for the side setback zone. It is recommended that dense landscaping is provided along the eastern boundary to provide privacy screening and to mitigate noise emitting from the undercroft play area.*
- *In addition, the roof terrace does not indicate if any shade structures/protective netting that would most likely be installed at a later date. The existing roof terrace along the western boundary currently has a mesh protective netting that is not included on the DA plans. All tensile structures that are existing/proposed on the roof terrace should be included as part of the DA documentation as they result in varying degrees of visual impact. The design of such structures should be integrated into the overall architectural form of the proposal.*

Planning Comment: Acoustic privacy measures were required by amended plans and associated acoustic report assessing the acoustic impacts of the amendments. The architectural amendments incorporate a landscape buffer on the common boundary with the adjoining residential flat building at No. 61 Weston Street. In addition a solid acoustically treated glass wall separates this landscaped area and boundary from the undercroft play space. This acoustic report was assessed by Council's Health Officer and found to be satisfactory subject to recommended standard conditions.

The existing mesh roof structures required deleting and replacement with roof sunshade structures shown on amended plans and elevations. These plans were subject to re-notification in accordance with Council's Notification policy and have been assessed due to their shape and orientation as not significantly contributing to bulk and scale.

Landscape Plan

- *It is recommended that the Landscape Plan is reviewed by Council's Public Domain team. From my initial review of the landscape plan it appears that a number of existing trees will be removed as part of the development and that some tree's intended to be retained may be impacted by the proposal. For example, each floor plan indicates that the proposed building envelope is within the canopy/spread of existing mature trees located within the Weston Street front building setback.*
- *Additionally, the perspectives provided are inconsistent with the landscaping plan, in particular along Weston Street and along the eastern boundary.*

Planning comment: The landscape and tree changes of the proposal were assessed by Council's Landscape Officer. Amended arborist information was required demonstrating satisfactory tree protection measures for the trees identified for retention. Council's Landscape Officer found the amended proposal satisfactory subject to recommended standard conditions of consent.

Traffic Engineer

Council's Traffic Engineer had the following comments:





Figure 7: Traffic engineering overlay and comments on the photomontage plans.

1. *The proposed development is for alterations and additions to existing College buildings only. There are no alterations to the existing pedestrian access, vehicular access or on-site parking arrangements. It was indicated that the proposal does not increase the student or staff population.*
2. *The submitted SEE indicated that the proposal simply seeks to relocate current school activities from Block C located at 36 Alice Street to the new school building, with the Main College Campus. This results in all senior school facilities being contained within the one site, significantly improving the safety and amenity of the College for its students and staff. It was further stated that the new building addition includes the college reception and offices, student amenities, learning areas, staff study room and covered outdoor area.*
3. *It is understood that currently all pedestrians are using the existing pedestrian crossing in Alice Street and the pedestrian access off Weston Street is no longer available and not being utilised particularly during before and after school hours.*
4. *Based on the submitted plans (Weston Street perspective and signage plan - Dwg No. DA203), there is a pedestrian access gate to Weston Street, although it is not clear if students will be using this facility.*
5. *Accordingly, the school principal is to advise Council if the gate to Weston Street will be used by students at the start and finish of school times.*

6. *Based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on Alice Street and Weston Street and the surrounding road network. The proposal can be supported on traffic and parking grounds subject to the following traffic related conditions below.*

Recommendation

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

During Construction or Works:

1. *Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.*
Reason: To ensure proper management of Council assets.
2. *Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.*
Reason: To ensure maintenance of Council's assets.

The Use of the Site

3. *The school principal is to advise Council if the gate to Weston Street will be used by students at the start and finish of school times.*
Reason: To comply with Australian Standards.

Planning Comment: Council's Traffic Engineer finds the proposal satisfactory subject to conditions of consent. These conditions have been incorporated in the recommendation.

Health (Waste) Officer

The application has been reviewed. Additional waste information was requested. This was provided and assessed by Council's Waste Officer as satisfactory subject to standard conditions of consent.

Planning Comment: Subject to recommended standard conditions the proposal is satisfactory.

Landscape Officer

Application Number	DA/131/2016
Site Address	Lot 101 DP 1138519, CP SP 8802,
Proposal	<p>Construction of a four storey school building in association with an existing Educational Establishment known as the Maronite College of the Holy Family involving:</p> <p>*Demolition of an existing residential flat building at No.63 Weston Street, boundary fencing and demolition work to the eastern side of existing Block B and site works to achieve new levels;</p> <p>*Construction of a four storey addition with roof terrace to the east of Block B containing reception and office space, student amenities, general learning areas (GLAs) and outdoor play areas;</p> <p>* Landscape works including the removal of three trees along the eastern boundary, new landscaping along the Weston Street front setback and the eastern boundary, border planting on the new roof terrace;</p> <p>* Signage along the southern elevation of the new addition; and</p> <p>* Use of the building for the purposes of an Educational Establishment.</p> <p>The determining authority for the Development Application is the Sydney West Joint Regional Planning Panel.</p>

DOCUMENT AND PLAN REFERENCE

The following documents and plans have been reviewed in assessing the proposal:

1. Landscape Plan: Prepared by Space Landscape Design dwg no. L-01-02 revision C dated 12 May 2016.
2. Stormwater Plan: Prepared by Abel & Brown Pty Ltd dwg no. H-2 Issue B dated March 2016
3. Arborist Report: Prepared by Horticultural Management Services Amended 10 May 2016.

SUMMARY OF PROPOSAL

The Arborist report has been amended upon request to include calculations relevant to existing trees to be retained. The report contains a large amount of information that is irrelevant to the site. The Arborist is non-committal to providing appropriate protection measures for the safe retention of trees to be retained and is therefore not supported. Conditions will be applied to ensure safe retention of existing trees. Reference to the Arborist report is only made for the purpose of the numbering of trees on the site.

The following trees are approved to be removed to facilitate development;

Tree No.	Name	Common Name	Location	Condition/ Height	Reason
1	<i>Acer palmatum</i>	Japanese Maple	Front setback	Good 8 metres	To facilitate proposed development
2	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Front setback	Fair 6 metres	To facilitate proposed development
3	<i>Acer palmatum</i>	Japanese Maple	Front setback	Good 7 metres	To facilitate proposed development

Planning Comment: Subject to recommended standard conditions the proposal is satisfactory.

Heritage

The proposal was referred to Council's Heritage Advisor who had the following comments:

1. *The site of proposed development is not of heritage interest in its own right; however, it is in the vicinity of several listed items in the PLEP 2011, and in vicinity of Experiment Farm conservation area.*
2. *Given the separation between subject site and heritage sites, given the siting across the road from conservation area, and given the adequate design of the proposed buildings suited to the sensitive context, it is deemed that significant views will not be impacted.*
3. *Based on the above, I have no objections to this proposal from heritage perspective.*

Planning Comment: There are no objections to the proposal on heritage and conservation grounds and no special heritage conditions are recommended.

Development Engineer

Council's Development Engineer made the following comments:

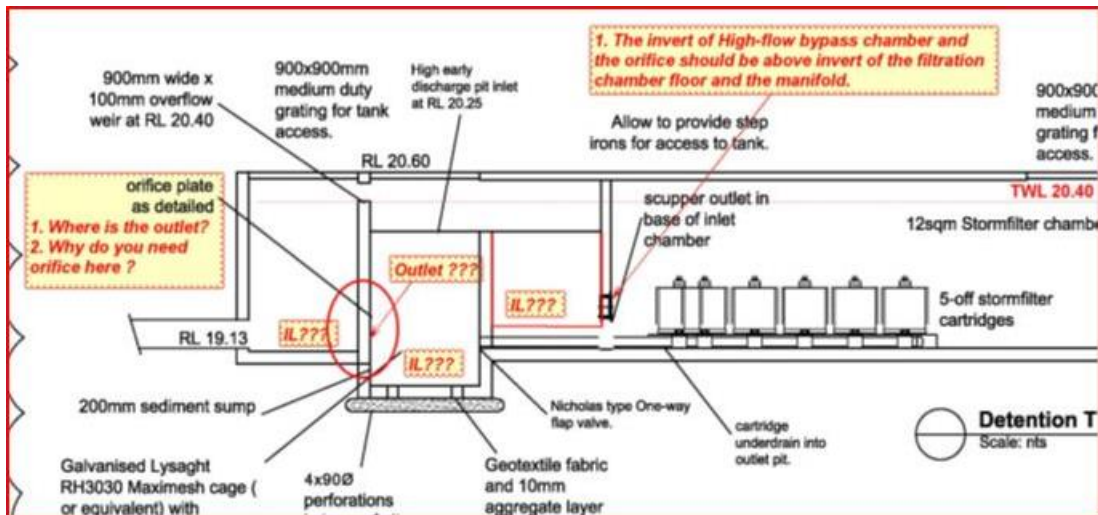
The stormwater proposal was assessed for its compliance with the requirements for council's acceptability in the following areas:

- i. Water Quantity control issues: On-site Detention system is provided to control the flow.*
- ii. Water Quality issues. Filtration system consisting of **5 numbers** of cartridge filters (stormwater filter 360) is provided as a part of water quality management under the Water sensitive Urban Design principles.*

There were few issues noted with the earlier versions of the Stormwater management proposal. The submitted stormwater plan intends to incorporate the necessary

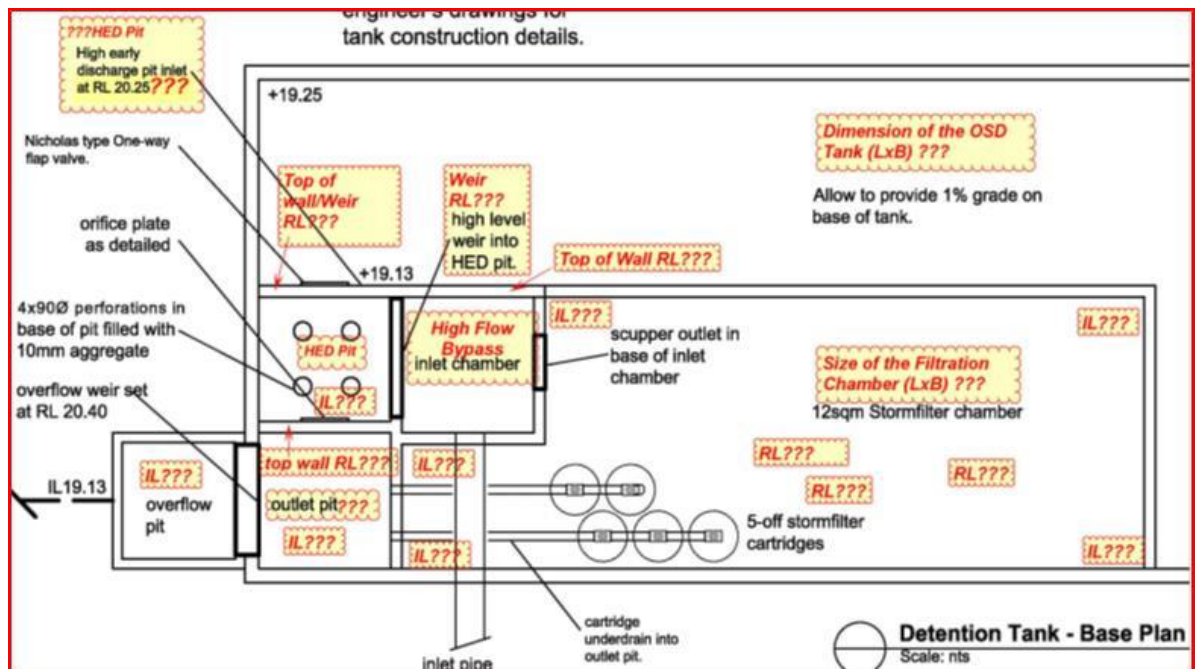
amendments in an attempt to address those issues. However, the final plan (Revision "D") still does not appear to have fully addressed the issues. The following are the outlines of the issues and necessary amendments.

1. The invert levels of the various chambers (High-flow bypass chamber, HED control pit, Outlet pit, Overflow pit etc. are missing.



2. The invert of the high-flow bypass chamber and the orifice that regulates the 1 in **3 month's flow** shall be located higher than the filtration chamber floor (and the manifolds).
3. In order to control the Top Water Level (TWL) within the OSD storage area the overflow weir should be located on the downstream wall of HED control pit (not otherwise) and the HED control pit should follow the Overflow Pit. The weir should be at **RL20.40m**
4. It is noted that the "Outlet Pit" does not have any practical function and appears to be redundant. Hence, it should be deleted.
5. The Top of wall (weir) surface level (RL) between the OSD storage area and the HED pit is unclear/ missing. The weir should be at **RL20.25m** (not the inlet as shown on the plan).
6. The invert level of the outlet pipe from the pit ("Overflow pit") is shown as **19.13m**, which is at the same level as the OSD storage area and is located too high for the storage area to be drained completely.
7. For clarity of the drawing, other sectional details with associated levels (invert/ orifice centre/ surface etc.) and dimensions are needed
 - Another Long-sectional details through the overflow pit, outlet pit and filtration chamber showing the levels is needed.
 - Transverse section through the Storage area, HED control pit with orifice, and the overflow pit,

- The sectional planes should be marked on the layout plan.



Vehicle access and manoeuvrings

Traffic & transport section is responsible for the vehicle access, manoeuvring and relevant matters and will be providing their comments.

REASONS SUPPORTED

The stormwater plan is subject to addressing the issues and incorporation of the rectification requirements as discussed above will meet council's requirement.

CONCLUSION

The proposal subject to addressing the issues discussed above will satisfy the requirements of Council's controls. However, as the issues are critical the proposal can only be supported as Deferred Commencement, subject to standard and/or special conditions of consent.

Planning Comment: Council's engineer recommended a deferred commencement stormwater condition. The condition recommended is highly prescriptive and can be applied prior to construction certificate with certainty. Subject to recommended conditions the proposal is satisfactory.

Health (Acoustic) Comments

Council requested an acoustic impact assessment due to the sensitive land use interface between the educational establishment and adjoining high density residential development. The applicant submitted an acoustic report. This has been assessed by Council's Environmental Health Officer.

Planning Comment: Standard conditions by the officer are included in the recommendation.

EXTERNAL REFERRALS

Roads and Maritime Services

The proposed development is identified in Schedule 3 of State Environmental Planning Policy (Infrastructure) 2007 and in accordance with clause 104(3) of the SEPP the application is referred to the Roads and Maritime Services (RMS) for comment at the time of lodgement. The RMS wrote to Council by letter dated 21 April advising they have no objection to the proposal.

PUBLIC CONSULTATION

In accordance with Council's notification procedures that are contained in Appendix 5 of DCP 2011 owners and occupiers of surrounding properties were given notice of the application for a 21 day period between 23 March 2015 and 15 April 2016. In response one submission was received. Issues raised are as follows:

Construction Management

Concern was raised that dust emissions during demolition will result in unacceptable impacts to amenity.

Planning Comment: Some disruption as a consequence of a demolition and construction of multi storey buildings is inevitable, however will occur for a finite period. The applicant has submitted an amended detailed construction management plan to mitigate concerns raised by neighbours about ongoing construction management. This plan forms part of the recommendation in conjunction with standard construction management conditions forming part of the recommendation.

Amenity impacts between land use interfaces

The objector resides in a residential dwelling in the adjoining residential flat building. They raised concern that the operation of the school results in unacceptable acoustic impacts. The objector characterizes these impacts from the sounding of class bells ,children playing and sounds from general school activities.

Planning Comments: The objector's concerns are acknowledged within the context of the school existing in this location for a number of years. Sounds from school activities such as school bells, children playing and school activities form part of this existing use. For the proposal Council required amended plans, an acoustic study and a management plan to ameliorate against noise generated by the educational establishment, and note that noise from the use at critical times such as after school hours is limited by the school not operating at these times the way other schools do.

This acoustic report was assessed by Council's Health (Acoustic) Officer and found to be satisfactory subject to recommended standard conditions of consent. The total number of students is recommended to be capped by condition as indicated in the

statement of environmental effects and accompanying documentation from the school. Council has also recommended a condition limiting school hours with no school activities allowed after hours and on weekends and public holidays as also indicated by the school.

Change in land use

Concern was raised that the change from a residential flat building to an educational establishment is not allowed for under Council's planning controls and should not be contemplated.

Planning Comment: Educational establishment is permissible in the R4 High Density Residential Zone.

In accordance with Council's Notification DCP, owners and occupiers of surrounding properties were given notice of the amended application for a 21 day period between 3 August and 24 August 2016. In response, one (1) submission was received. The issues raised within those submissions are addressed below:

Ongoing school expansion

Concern is raised that the proposal will result in an expansion of the school.

Planning Comment: In relation to the school expansion documentation submitted with the application confirms that there is no increase in student or staff population. The purpose of the renovation is to provide an opportunity to resolve significant safety and operational issues by consolidating all senior college activities on the Main Campus rather than the present situation, which has the senior college uses split between two facilities on either side of Alice Street.

Parking, traffic, and manoeuvring

Planning Comment: Concern is raised about increased parking, traffic, and manoeuvring around the school both during and after construction. Specifically the long term parking of construction vehicles and the increased parking demand caused by the enlarged school. The manoeuvring and parking of construction vehicles is dealt with by standard construction vehicle management conditions which dictate work zones and parking areas during construction. As noted above no increase in student or staff population is proposed.

OTHER MATTERS

Construction Plan of Management

In response to neighbour concern over construction noise the applicant agreed to the following:

In the interests of being a good neighbour, the College will provide a screen or shade cloth cover to the construction works for the duration of construction.

The details of the project manager and the school will be provided to the adjacent residents, This will enable a reporting avenue for the neighbours if any issues arise.

Planning comment: These measures form part of the standard conditions of consent.

Existing trees on site

Concern was raised by the JRPP in the initial site inspection about the maintenance of existing trees on the educational establishment campus. The applicant advised in writing that all trees on the campus have a yearly risk assessment undertaken.

Acoustic Treatment

The amended application was accompanied by an acoustic report. This report was assessed by Council's Health Officer and found to be satisfactory subject to recommended standard conditions of consent.

Rooftop Use

The proposed roof top outdoor areas are for passive activities only. No ball sports or the like will be conducted here. Students are to remain under the supervision of teachers whilst on the roof top. The roof tops will not be used outside of school hours.

Operational plan of management

During assessment the applicant provided operational information about the school as follows:

Operating Hours	<ul style="list-style-type: none"> Monday to Friday 8am to 4pm; The school does not offer before or after school care; No extra-curricular activities take place outside of school hours; and The school is closed on weekends.
Current Enrolment numbers	Primary – 665
	Secondary – 461
	Total -1126
Staffing	No change to 130 staff
School hours	8am to 4pm Monday to Friday only
Parking	No change to pedestrian access, vehicular access or on site parking arrangements
Number of senior students allowed to drive to school	The school advised that there are ten (10) senior students granted approval to drive to school.

Enrolment numbers from 2011-2015					
	2011	2012	2013	2014	2015
Primary	681	694	692	692	670
Secondary	491	469	490	491	469
Total	1172	1163	1182	1183	1139

Planning Comment: The current student enrolment for the educational establishment totals 1126 students. This is within the range of total enrolments over the last five years of between 1139 and 1183 students.

PARRAMATTA S94A DEVELOPMENT CONTRIBUTIONS PLAN 2008

As the cost of works for the dual occupancy exceeds \$100,000 a Section 94A development contribution **1.0%** is required to be paid. A Detailed Quantity Surveyor Cost Estimate was provided showing a development cost of \$7,319,375 and detailed no exemptions.

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

BONDS

In accordance with Council's 2015/2016 Schedule of Fees and Charges, the developer will be obliged to pay Security Bonds to ensure the protection of civil infrastructure located in the public domain adjacent to the site. Appendix 4 contains the Security Bond conditions.

EP&A 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, refer to Appendix 4.

CONCLUSION

Conditional consent

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

RECOMMENDATION

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

General Matters

APPROVAL SUBJECT TO CONDITIONS WITH DEVELOPMENT STANDARD VARIATION

- (a) **That** Council support the variations to Clause 4.3 9 (Height of buildings) and 4.4 (Floor Space Ratio) of Parramatta Local Environmental Plan 2011 under the provisions of clause 4.6.
- (a) **That** Council grant development consent to DA/131/2016 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the following conditions:

DRAFT CONDITIONS OF CONSENT

Upon the signature of the applicable delegate the conditions in this Appendix will form the conditions of development consent.

Development Consent No.: DA/131/2016
Property Address: Lot 101 DP 1138519, CP SP 8802

General Matters

PA0001 Approved plans and supporting documentation (Previously APA03)

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

Drawing No.	Prepared By	Dated
Cover Page Issue A	Leaf Architecture	3/3/16
Location Plan Issue A	Leaf Architecture	3/3/16
Existing Site Plan Issue A	Leaf Architecture	3/3/16
Existing Floor Plans – Levels 1 & 2	Leaf Architecture	3/3/16
Existing Floor Plans – Levels 3 & 4 Issue A	Leaf Architecture	3/3/16
Existing Roof Plan Issue A	Leaf Architecture	3/3/16
Demolition Plan levels 1 & 2 Issue A	Leaf Architecture	3/3/16
Demolition Plan levels 3 & 4	Leaf Architecture	3/3/16
Demolition Plans – Roof Plan Issue B	Leaf Architecture	14/5/16
Proposed Site Plan Issue A	Leaf Architecture	3/3/16
Ground Floor Plan, Issue C	Leaf Architecture	

Proposed Floor Plans – Levels 1 and 2 Issue C	Leaf Architecture	14/6/16
Proposed Floor Plans – Levels 3 and 4	Leaf Architecture	3/3/16
Proposed Roof Plan Issue C	Leaf Architecture	14/6/16
Elevations, Sections, and Material Pallet Issue C	Leaf Architecture	14/6/16
Waste Receptacle Location Block A	Leaf Architecture	25/5/16
Perspectives and Signage Issue A	Leaf Architecture	3/3/16
Landscape Plan dwg no. L-01-02 Revision C	Space Landscape Designs	
Landscape Plan dwg no. L-02 Revision D	Space Landscape Designs	28/1/2016
Roof Landscape Plan	Space Landscape Designs	12 May 2016
Survey Plan	GJ Atkins & Associates	12/11/15
“Stormwater Concept Plan” (Drawing ref 2575-H-2:Level1 Layout plan, H7~H8: Details and Cross-sections) Revision “D” (3 sheets)	Abel & Brown Pty Ltd	July 2016

Document(s)	Prepared By	Dated
Statement of Environmental Effects	Robinson Urban Planning	4/3/16
Waste Management Plan	Daniel Smith	19/2/16
Arborist Report: Amended	Horticultural Management Services	10 May 2016
Letter confirming school operating hours, existing and projected staff and student numbers, pedestrian access, details of students who drive to school, and construction management, tree management and confirmation that the school has no boarding facilities	Maronite College of the Holy Family	6 June 2016
Tier 1 Preliminary Site Investigation	SESL Australia Environment & Soil Sciences	June 2016
Energy Efficient Evaluation Section JV3 of NCC/BCA 2016	Partners Energy	25 February 2016
Acoustic Report	Rodney Stevens Acoustic Consultants	12 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.

PA0002 Building work in compliance with BCA(Previously BA01)

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

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

PA0003 Construction Certificate (Previously BA03)

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

Reason: To ensure compliance with legislative requirements.

PA0004 No encroachment on Council and/or Adjoining proper (Previously PA07)

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

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

PA0007 Demolition work carried out in accordance with Aus (Previously PA10)

5. Demolition work must 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.

PA0011 Demolition of Buildings (Previously PA25)

6. Approval is granted for the demolition of all buildings shown for demolition on the approved plans, subject to compliance with the following:-

- (a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.

Note: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.

- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to Parramatta City Council for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) On the first day of demolition, work is not to commence until Parramatta City Council has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (i) Demolition is to be completed within 5 days of commencement.
- (j) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (k) 1.8m high Protective fencing is to be installed to prevent public access to the site.

- (l) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
 - (i) Proposed ingress and egress of vehicles to and from the construction site;
 - (ii) Proposed protection of pedestrians adjacent to the site;
 - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
- (m) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (n) Before demolition works begin, adequate toilet facilities are to be provided.
- (o) After completion, the applicant must notify Parramatta City Council within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (p) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
- (q) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
- (r) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

Prior to the issue of a Construction Certificate

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

PB0002 Long Service Levy payment for Constr. over \$25,000 (Previously BB02)

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

Reason: To ensure that the levy is paid.

LB0007 Species replacement

- 8. Plans submitted with the construction certificate must illustrate that the approved landscape plan referenced in condition incorporates the following change in plant species. The following species must be replaced:

- a) The replacement of *Ficus macrocarpa hillii* 'Flash' 'Flash Hill's Weeping Fig with the planting of suitable screen planting along the side setback. The screen planting shall be provided in five litre (200mm) containers and planted at distances (maximum) of one and a half (1.5) metres between trunk centres. Suitable species include (but are not limited to) the following:
- *Acmena smithii* cvs (Lillypilly)
 - *Murraya paniculata* (Murraya)
 - *Viburnum odoratissimum* (Viburnum)
 - *Pittosporum tenuifolium* cvs (Pittosporum)

Reason: To ensure the restoration of the environmental amenity of the area.

PB0006 Location of plant (Previously PB03)

9. All plant and equipment (including but not limited to air conditioning equipment) is to be located within the building and is not to be located on the roof. Details demonstrating compliance are to be submitted with the Construction Certificate application.

Reason: Minimise impact on surrounding properties, improved visual appearance and amenity for locality.

PB0008 No external service ducts for multi-unit develop (Previously PB06)

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

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

PB0010 Acoustic Report (Previously PB07A)

11. The recommendations outlined in the acoustic report prepared by Rodney Steven's Acoustics with reference number 160126R1 Revision 1. dated 29 June 2016 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.

Reason: To ensure a suitable level of residential amenity.

PB0013 Reflectivity of external finishes (Previously PB10)

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

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

PB0015 Energy Provider requirements for dual occ. & above (Previously PB12)

13. Documentary evidence to the satisfaction of the Certifying Authority must to be provided with the application for a Construction Certificate confirming satisfactory arrangements have been made with an energy provider for the provision of electricity supply to the development.

Reason: To ensure adequate electricity supply to the development.

**PB0020 S94A Contribution – Outside the City Centre
(Previously PB20A) (Updated 19/8/2015)**

14. A monetary contribution comprising \$73,193.75 is payable to Parramatta City Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta Section 94A Development Contributions Plan (Amendment No. 4). 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/ subdivision certificate [choose one].

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

Parramatta Section 94A Development Contributions Plan (Amendment No. 4) can be viewed on Council's website at:

http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions

Reason: To comply with legislative requirements.

PB0022 Cigarette butt receptacle for commercial develop. (Previously PB24)

15. Cigarette butt receptacles must be provided during the construction stage of the development only. The receptacles are to be placed adjacent to designated construction entry points of the site. Details of the receptacles must be included within the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

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

PB0023 Outdoor lighting (Previously PB25)

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

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

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

**PB0024 Disabled access for commercial developments
(Previously PB26)**

17. Access and services for people with disabilities shall be provided to the 'affected part' of the building in accordance with the requirements of the Access to Premises Standard 2010 and the National Construction Code 2013. Detailed plans, documentation and specification must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

**PB0030 Infrastructure & Restoration Adm. fee for all Das
(Previously PB35)**

18. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Construction Certificate.
The fee will be in accordance with Councils adopted 'Fees and Charges' at the time of payment.

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

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

PB0032 Constr. Noise Managt. Plan for townhouses & above (Previously PB39)

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

The Construction Noise Management Plan must include:

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

Reason: To prevent loss of amenity to the area.

**PB0033 Energy Provider requirements for Substations
(Previously PB40)**

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

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

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

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

PB0034 Broadband access for major dev. (Previously PB42)

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

Note: For more information contact NBN Co.;

Development Liaison Team:

Call 1800 881 816;

Email: newdevelopments@nbnco.com.au;

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

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

PB0036 Noise Management Plan -Demo. Excav. & Construction (Previously PB45)

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

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

- (a) Confirmation of the level of community engagement that has, is and will be undertaken with the Building Managers/occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (b) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise

sensitive properties during the main stages of work at neighbouring noise sensitive

- (c) What course of action will be taken following receipt of a complaint concerning site noise, dust and vibration?
- (d) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring properties to a minimum.
- (e) What plant and equipment is to be used on the site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring properties and other less intrusive technologies available.

Reason: To maintain appropriate amenity to nearby occupants.

**PB0037 Security Bonds (multi-unit and above)
(Previously PB46)**

23. 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/131/2016;
- (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 – 2 street frontage	\$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.

24. 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.

25. Full engineering construction details of the stormwater system, including OSD structures, pipe networks and calculations as per following points, shall be submitted for the approval of the PCA prior to release of the Construction Certificate for any work on the site.
 - (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the following Stormwater Plans approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development

Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code.

- (i) "The final drainage plans are consistent with the submitted Drainage Plans i.e. **"Stormwater Concept Plan" (Drawing ref 2575-H-2:Level1 Layout plan, H7~H8: Details and Cross-sections) Revision "D" dated July 2016** prepared by Able & Brown Ltd (3 sheets) together with the notes and rectification as required address the issue outlined in the deferred commencement clause
- (b) A Site Storage Requirement of **215 m³/ha** and a Permissible Site Discharge of **235L/s/ha** (when using **3rd edition** of UPRCT's handbook) with the minimum storage capacity as shown on the plan.
- (c) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.
- (d) Certificate from registered structural engineer certifying the structural design adequacy of the OSD tank structure against the loads/forces including buoyancy forces.
- (e) Any changes, other than that are of minor nature (such as minor relocation of pits and pipes), that affect the approved landscaping require prior approval from the council.
- (f) The OSD Detailed Design Submission (Form B9) and OSD Detailed Calculation Summary Sheets (from B1) are to be submitted with the documentation accompanying the construction certificate application.

A calculation table showing the available storage volume with the pyramid volume and prismatic volume calculation method is to be shown on the plan.

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

26. As a part accomplishment of Water Sensitive Urban Design principles under section 3.3.6.1 of Parramatta City Council Development Control Plan 2011, the following pollution reduction and stormwater quality improvement measures shall be implemented in accordance with the stormwater plan. Special consideration shall be given to the consistency in the Hydraulic Grade line (HGL) at various critical points of each component.

- (a) All the surface pits at the basement car park shall be fitted with the filtration/screening basket fitted with the oil & grease-trapping pad of Enviropod make or equivalent that are capable of capturing sediments and spilled hydrocarbon.

- (b) Filtration system consisting of **5 numbers** of **690mm** dia StormFilter cartridges (**Stormwater360** make or equivalent with demonstrated performance) that provide water quality flow (Filtration) rate of **5l/s** in normal condition,
- (c) The filter media shall be "**Phosphosorb**", or similar perlite based media that has demonstrated performance characteristics equivalent or better.
- (d) Filtration chamber of at least **12m³** holding capacity,
- (e) The hydraulic head drop (head difference between the inlet invert level and the outlet tail water level) of at least **930mm** shall be maintained at any time/ event. The water quality flow (filtration) rate of the filtration system shall be no less than **5l/s**. If the head drop or water quality flow (filtration) rate cannot be maintained additional cartridges shall be provided proportionately to maintain the designated flow rate.
- (f) The construction and installation of the filtration system shall be in accordance with the manufacturer's specification and instruction.

Reason: To ensure that the water quality management measures are implemented.

DAANSC0001 Amended Stormwater plan

27. The stormwater plan shall be amended to address the following issues:

- a. Show the invert levels of the various chambers (High-flow bypass chamber, HED control pit, Outlet pit, Overflow pit etc.).
- b. The invert of the high-flow bypass chamber and the orifice that regulates the **1 in 3 month's flow** shall be located higher than the filtration chamber floor (and the manifolds).
- c. In order to control the Top Water Level (TWL) within the OSD storage area the overflow weir should be located on the downstream wall of HED control pit (not otherwise) and the HED control pit should follow the Overflow Pit. The weir should be at **RL20.40m**
- d. Delete the "Outlet Pit" as it does not have any practical function and appears to be redundant.
- e. Correct the Top of wall (weir) surface level (RL) between the OSD storage area and the HED pit. The weir should be at **RL20.25m** (not the inlet as shown on the plan).
- f. Adjust the invert level of the outlet pipe from the pit ("Overflow pit") which is shown as **19.13m**, as it is the same level as the OSD storage area therefore it is located too high for the storage area to be drained completely.
- g. For clarity of the drawing, the following sectional details with associated levels (invert/ orifice centre/ surface etc.) and dimensions are required:
 - Another Long-sectional details through the overflow pit, outlet pit and filtration chamber showing the levels is needed.
 - Transverse section through the Storage area, HED control pit with orifice, and the overflow pit,
 - The sectional planes should be marked on the layout plan.

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

Reason: To provide suitable vehicle access and smooth junction.

29. A hazardous material survey (HMS) must be conducted for the apartment building and car port at 63 Weston Street to identify all potential hazardous materials to allow for management prior to demolition works (including removal of all ACM on site). The HMS can be conducted following DA approval, but must be conducted prior to any demolition works being undertaken (prior to issuance of Construction Certificate). The engaged demolition contractor for the site must ensure all Work, Health and Safety requirements are complied with in handling and disposing hazardous waste material offsite by a licenced contractor.

Prior to Work Commencing

PC0001 Appointment of PCA (Previously BC01)

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

- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
- (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

The Principal Certifying Authority must determine and advise the person having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

PC0002 Enclosure of the site (Previously BC03)

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

Reason: To ensure public safety.

PC0003 Site Sign (Previously BC04)

32. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 detailing:

- (a) Unauthorised entry of the work site is prohibited;
- (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- (c) The name, address and telephone number of the Principal Certifying Authority;

(d) The development consent approved construction hours;

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

This condition does not apply where works are being carried.

Reason: Statutory requirement.

LC0003 Tree protection zone

33. The required Tree Protection Zones (TPZ) are to be established and in place prior to any works commencing according to the schedule below.

The area is to be enclosed with protective fencing consisting of 1.8m high fully supported chainmesh. The area enclosed is to be a designated "No-Go Zone" and is to be kept weed and grass free for the entire duration of works. The enclosed area is to be mulched with 100mm of leaf mulch to minimise disturbance to existing ground conditions for the duration of the construction works. "Tree Protection Zone" signage is to be attached to protective fencing; this must include the name and contact details of the site Arborist.

Tree No.	Species	Common Name	Location	Radius from Trunk for TPZ
4	Jacaranda mimosifolia	Jacaranda	Front setback	5.7m
5	Callistemon viminalis	Weeping Bottlebrush	Street Tree	4.8m
6	Callistemon viminalis	Weeping Bottlebrush	Street Tree	6.1m
7	Jacaranda mimosifolia	Jacaranda	Front setback	4.1m

Reason: To protect the trees to be retained on the site during construction works.

LC0006 Pruning/works on tree(s)

34. Consent from Council must be obtained prior to any pruning works being undertaken on any tree on site, or any trees located in adjoining properties.

All approved pruning works must be supervised by an Australian Qualifications Framework (AQF) Level 3 certified Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.

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

LC0007 Tree Protection During Construction

35. Tree protection measures are to be installed and maintained, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 - "Protection of Trees on Development Sites".

Reason: To ensure trees are protected during construction.

PC0005 Public liability insurance (Previously PC08)

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

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

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

A copy of the insurance policy obtained must be forwarded to Council before any of the works commence.

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

Reason: To ensure the community is protected from the cost of any claim for damages arising from works authorised by this consent conducted above, below or on any public land owned or controlled by Council.

PC0006 Noise Management Plan – Construction Sites (Previously PC12)

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

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

- (a) Identify sensitive location near the site;
- (b) Identify potential impacts (i.e. exceedance of the goals at the identified locations);
- (c) Mitigation measures to control noise and dust from the site, the noise reduction likely and the feasibility and reasonableness of these measures;
- (d) Selection criteria for plant and equipment;
- (e) Community consultation;
- (f) Details of work schedules for all construction phases;
- (g) Selection of traffic routes to minimise residential noise intrusion;
- (h) Schedule of plant and equipment use and maintenance programs;
- (i) Noise monitoring techniques and method of reporting results;
- (j) The methodology to be employed for handling and investigating any complaints should they arise;
- (k) Site induction details for employees and contractors; and
- (l) A declaration of available technologies and the reason for the selection of the preferred technology from a noise generating perspective should be included.

Reason: To maintain appropriate amenity to nearby occupants.

PC0007 Footings and walls near boundaries (Previously PA12)

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

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

EWC0001 Asbestos – hazardous management strategy (Previously PC01)

39. The preparation of an appropriate hazard management strategy by an appropriately licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure that any such proposed demolition works involving asbestos are carried out in accordance with the requirements of the 'Code of Practice: How to Safely Remove Asbestos' published by WorkCover NSW. The strategy shall be submitted to the Principal Certifying Authority, prior to the commencement of any works. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.

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

EWC0002 Asbestos – signage (Previously PC02)

40. On demolition sites where buildings are known to contain friable or non-friable asbestos material, standard warning signs containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm are 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 their website www.workcover.nsw.gov.au.

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

EWC0003 Waste management plan – demolition (Previously PC09)

41. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:
- (a) expected volumes and types of waste to be generated during the demolition and construction stages of the development;
 - (b) destination of each type of waste, including the name, address and contact number for each receiving facility.

The Waste Management Plan is to be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of any works on site.

Reason: To ensure waste is managed and disposed of properly.

EWD0004 Hazardous/intractable waste disposed of in accord. (Previously EHA63)

42. 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.

43. A **200mm** wide grated drain, incorporating a heavy duty removable galvanised grate is to be located within the site at the property boundary to collect all surface water flowing down the driveway. The grated drain shall be connected to the main system outlet or separately to the street system and shall have a minimum diameter **100mm** dia pipe to prevent blockage by silt and debris.

Reason: Stormwater control.

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

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

EWD0008 Contaminated waste to licensed EPA landfill (Previously EHA87)

45. 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.

During Work

PD0001 Copy of development consent (Previously PD01)

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

Reason: To ensure compliance with this consent.

PD0002 Adjoining Bushland (Previously PD02)

47. No vehicle access is permitted from the premises into the adjoining public land.

Reason: To ensure protection of public land and manage the impacts of the development.

PD0003 Dust Control (Previously PD04)

48. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Council's Guidelines for Controlling Dust from Construction Sites and Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

PD0004 Materials on footpath (Previously PD05)

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

Reason: To ensure pedestrian access.

PD0005 No work on public open space (Previously PD06)

50. The applicant must not enter or undertake any work within any adjoining public parks or reserves without the prior written consent of Council.

Reason: Protection of existing public infrastructure and land and to ensure public safety and proper management of public land.

PD0006 Hours of work and noise (Previously PD08)

51. All work (excluding demolition which has separate days and hours outlined below) including building, and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools, machinery etc.) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 8.00am

to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

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

PD0007 Complaints register (Previously PD11)

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

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

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

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

PD0008 Noise (Previously PD12)

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

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

Reason: To protect the amenity of the area.

PD0009 Importation of clean fill (Previously PD016)

54. 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.

PD0010 Survey Report (Previously PD17)

55. A survey certificate is to be submitted to the Principal certifying Authority at footing and/or formwork stage. The certificate must indicate the location of the building in relation to all boundaries, and must confirm the floor level is

consistent with that approved under this consent prior to any further work proceeding on the building.

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

LD0001 No removal of trees on public property

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

Reason: Protection of existing environmental infrastructure and community assets.

LD0004 Material storage and trees

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

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

LD0007 Excavation in the vicinity of trees

58. No excavation is to occur within the distance specified below:

Tree No.	Species	Common Name	Location	Distance from trunk
4	Jacaranda mimosifolia	Jacaranda	Front setback	2.8 metres
5	Callistemon viminalis	Weeping Bottlebrush	Street Tree	2.4 metres
6	Callistemon viminalis	Weeping Bottlebrush	Street Tree	2.4 metres
7	Jacaranda mimosifolia	Jacaranda	Front setback	2.5 metres

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

LD0008 No attachments to trees

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

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

LD0011 Tree Removal

60. Trees to be removed are:

Tree No.	Species	Common Name	Location
1	<i>Acer palmatum</i>	Japanese Maple	Front setback
2	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Front setback
3	<i>Acer palmatum</i>	Japanese Maple	Front setback

Reason: To facilitate development.

LD0013 Removal of trees by an arborist

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

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

**DC0008 Shoring and adequacy of adjoining property
(Previously EC08)**

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

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

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

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

DC0009 Special Permits (Previously EC09)

63. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:

The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

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

Reason: Proper management of public land.

DD0010 Vehicle egress signs (Previously ED11)

64. Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way.

Reason: To ensure pedestrian safety.

EWD0001 Asbestos-records of disposal & licensed waste fac. (Previously PD13)

65. 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.

EWD0002 Asbestos-handled & disposed of by licensed facilit (Previously PD14)

66. All friable and non-friable asbestos-containing waste material 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 2014 and the Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.

Reason: To ensure appropriate disposal of asbestos materials.

EWD0003 Waste data maintained (Previously PD15)

67. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.

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

EWD0004 *Hazardous/intractable waste disposed of in accord. (Previously EHA63)*

68. 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:

- (d) Work Health and Safety Act 2011
- (e) NSW Protection Of the Environment Operations Act 1997 (NSW) and
- (f) 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.

69. Following the demolition and removal of the slab or structures on site, a soil investigation must be conducted to validate that the site soil materials below the slab are suitable for the proposed development and does not pose contamination concern. This will involve sampling and laboratory assessment of the exposed soil prior to any excavation works. In the event that soil materials are identified to be contaminated, a Remedial Action Plan (RAP) will need to be developed with the contaminated material managed and remediated during the construction phase.

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

Reason: To ensure proper management of Council assets.

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

Reason: To ensure maintenance of Council's assets.

Prior to the issue of an Occupation Certificate

LE0002 Cert.Auth.Arrange Qualified LandscapeArch.(multi)

71. A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works must be completed prior to the issue of an Occupation Certificate.

Reason: To ensure restoration of environmental amenity.

PE0004 Certification from an acoustic consultant (Previously PE03)

72. The acoustic measures required by the acoustic report(s) prepared by Rodney Steven's Acoustics , referenced dated 160126R1 Revision 1. dated 29 June 2016 must be implemented prior to issue of any Occupation Certificate.

Reason: To minimise the impact of noise.

PE0005 Schedule of street numbering (Previously PE04)

73. Prior to the issue of an Occupation Certificate the developer must provide Council with a schedule of individual unit/street numbers as displayed within the development for identification purposes. The numbering sequence must be in accordance with the street numbering approval letter issued by Council.

Reason: To ensure developments are appropriately numbered.

PE0006 Street Number when site readily visible location (Previously PE05)

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

Reason: To ensure a visible house number is provided.

PE0008 Telecommunications services (Previously PE07)

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

Reason: To ensure provision of appropriately located telecommunication facilities.

PE0009 Provision of Endeavour Energy services (Previously PE08)

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

Reason: To ensure appropriate electricity services are provided.

PE0010 Provision of telephone services (Previously PE09)

77. The submission of documentary evidence from the telecommunications provider authorised under the Telecommunications Act 1997 confirming arrangements have been made for the provision of telephone services prior to the issue of a Subdivision Certificate.

Reason: To ensure appropriate telephone services are provided.

PE0011 Notification agreement from Integral Energy (Previously PE10)

78. A Notification Agreement outlining the electrical construction requirements and associated fees shall be obtained from an energy provider prior to the release of the subdivision certificate.

Reason: To ensure electricity supply is available to all properties.

PE0019 Floodlighting/light spillage diagram (Previously PE18)

79. A light spillage diagram is required to be prepared by a suitably qualified lighting engineer and submitted to the Principal Certifying Authority prior to the

issue of the Occupation Certificate. This diagram is to demonstrate light spillage generated by the proposed floodlighting system complies with the requirements of Australian Standard AS4284 - Control of Obtrusive Effects of Outdoor Lighting. Light spillage mitigating measures shall be maintained, at all times.

Reason: To prevent light spillage onto adjoining properties.

DE0006 Section 73 Certificate (Previously EE06)

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

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

PE0024 The Release of Bond(s) (Previously PE23)

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

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

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

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

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

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

PE0027 Post Construction Private Property Dilapidation Re (Previously PE26)

82. 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

- a. The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- b. The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.

- c. The “As-built” On-Site Detention (OSD) storage volumes are to be presented in a tabular form using the pyramid volume and prismatic volume calculation method.
- d. OSD WAE Survey certification form and WAE dimensions form (Form B10 and attachment B. Refer to UPRCT Handbook).
- e. Certificate of Hydraulic Compliance (Form B11) from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- f. Approved verses installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- g. Structural Engineer’s Certificate for the OSD tank structure, basement pump out tank structure, OSD basin (retaining) wall etc.

The above is to be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate and another set of the documents shall be submitted to Council.

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

83. Prior to of the Occupation Certificate the applicant must create a Positive Covenant under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the Water Quality improvement Devices and facilities installed on the lot such as the filtration cartridges and filtration/screening baskets. The positive covenant shall be created only upon completion of the system and certification by a qualified practicing engineer to the satisfaction of the Principal Certifying Authority.

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

Reason: To ensure maintenance of on-site detention facilities

84. 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:
- (a) compare the post-construction dilapidation report with the pre-construction dilapidation report, and
 - (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

- (c) carry out site inspection to verify the report and ensure that any damage to the public infrastructure as a result of the construction work have been rectified immediately by the developer at his/her cost.
- (d) Forward a copy of the dilapidation report with the PCA's comparison and assessment review report to Council.

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

The Use of the Site

PF0004 External Plant/Air-conditioning noise levels (Previously PF04)

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

Reason: To minimise noise impact of mechanical equipment.

PF0009 Signage and lighting Illumination within school hours (Previously PF09)

86. The school signage and lighting must not be illuminated beyond the approved school operating hours of the business, namely:

Monday - Friday	8am to 4pm inclusive during school term.
Saturday	School closed
Sunday	School closed
Public Holidays	School closed
	No before or after school care or any extra-curricular activities are to take place outside of school operating hours

Reason: To minimise the impact on the amenity of the area.

PF0016 Loading & unloading (Previously PF16)

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

Reason: To protect the amenity of the neighbourhood.

PF0018 Maximum number of students (Previously PF18)

88. The maximum number of students must not exceed maximum of 665 primary school children and 461 secondary school children for the entire school.

Reason: To ensure the development does not expand beyond that approved.

PF0025 -Operating hours (Previously PF25)

89. The school days and hours of operation are restricted to:

Day	Time of school operating hours
Monday - Friday	8am to 4pm inclusive during school term.
Saturday	School closed
Sunday	School closed
Public Holidays	School closed
	No before or after school care or any extra-curricular activities are to take place outside of school operating hours

Reason: To minimise the impact on the amenity of the area.

DE0014 Lot consolidation (Previously EE14)

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

Reason: To comply with the Conveyancing Act 1919.

Façade cleaning

91. The façade of the school buildings must be professionally cleaned annually.

Reason: Visual amenity within a residential zone.

EAF0002 School student and staff noise control (Previously EHF10)

92. The school shall be responsible at all times for the orderly dispersal of students, staff, and parents from the school. The school principal is to confirm to Council that the gate to Weston Street will be used by students at the start and finish of school times.

Reason: Pedestrian and motorist safety

Date: 24 September 2016
Responsible Officer: Stan Fitzroy-Mendis

Report prepared by

Stan Fitzroy-Mendis
Senior Development Assessment Officer

Signature:

Date:

<input checked="" type="checkbox"/>	All DA fees paid.
<input checked="" type="checkbox"/>	Consent of all owners provided.
<input checked="" type="checkbox"/>	DA notified in accordance with Council's Notifications DCP.
<input checked="" type="checkbox"/>	Acknowledgement letters sent to all persons who lodged submissions.
<input checked="" type="checkbox"/>	All issues raised in submissions have been considered in the assessment of the application.
<input checked="" type="checkbox"/>	Comments from stakeholders considered in assessment of application.
<input checked="" type="checkbox"/>	Relevant matters for consideration (s79C assessment) addressed in report.
<input checked="" type="checkbox"/>	Section 94A Contributions calculated (if required).
<input checked="" type="checkbox"/>	Standard conditions of consent and extraordinary conditions or reasons for refusal prepared.
<input type="checkbox"/>	Development standard variations and all other Pathway fields have been completed.

Peer Review:

I have read the Section 79C assessment worksheet and endorse the manner in which the development application has been assessed. I concur with the recommendation

I authorise the Development Assessment Officer whose name appears above to sign all plans and paperwork in relation to this determination.

Steven Chong
Team Leader Development Assessment Team

Signature:

Date:

Peer Review:

I have read the Section 79C assessment worksheet and endorse the manner in which the development application has been assessed. I concur with the recommendation.

I authorise the Development Assessment Officer whose name appears above to sign all plans and paperwork in relation to this determination.

Claire Stephens
Service Manager Development Assessment Services

Signature:

Date:

Peer Review:

I have read the Section 79C assessment worksheet and endorse the manner in which the development application has been assessed. I concur with the recommendation and determine this application under

I authorise the Development Assessment Officer whose name appears above to sign all plans and paperwork in relation to this determination.

Mark Leotta
Manager Development and Traffic Services Unit

Signature:

Date:

Peer Review & Determination:

I have read the Section 79C assessment worksheet and endorse the manner in which the development application has been assessed. I concur with the recommendation and determine this application under *Delegated Authority PB003 (Refuse Development Applications)*.

I authorise the Development Assessment Officer whose name appears above to sign all plans and paperwork in relation to this determination.

Sue Weatherley
Director Strategic Outcomes and Development

Signature:

Date:
