



Anthony Roberts MP

Minister for Planning, Minister for Housing, Special Minister of State

Mr Lindsay Fletcher
Acting Chair
Sydney West Central Planning Panel
GPO Box 39
SYDNEY NSW 2001

17/09316

COPY

Dear Mr Fletcher

Thank you for your letter regarding Crown development application DA/80/2017 proposing the construction of temporary demountable school buildings at 24 O'Connell Street and 3 Marist Place, Parramatta.

I understand the City of Parramatta Council referred DA/80/2017 to the Sydney West Central Planning Panel (the Panel) for determination and that the Panel resolved to refuse consent to the application due to concerns related to the site's flood risk.

As noted in your letter dated 13 April 2017, section 89(1)(a) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) specifies that the Panel must not refuse consent to a Crown development application without the Minister's approval.

Following a thorough review of the information relating to the application including additional information provided by an independent hydrology consultant commissioned by the Department of Planning & Environment (the Department), I am satisfied the potential flood risks can be managed through recommended conditions of consent and that the temporary use of the site is appropriate.

I therefore direct the Panel, under section 89A(1) of the EP&A Act, to approve Crown development application DA/80/2017, with the inclusion of specified conditions (enclosed).

Should you have any further questions in relation to this matter, please contact Karen Harragon – Director, Social and Other Infrastructure Assessments at the Department on (02) 9274 6358.

Yours faithfully,

Anthony Roberts MP
Minister for Planning
Minister for Housing
Special Minister of State

15 AUG 2017

Encl: Specified conditions of consent for DA/80/2017

CC: Mr Stuart Withington – Manager Planning Panels Secretariat

DA/80/2017

WITHOUT PREJUDICE DRAFT CONDITIONS OF CONSENT

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

Property Lot 6 DP 1182647 & Lot 1 DP1112822
24 O'Connell Street & 3 Marist Place PARRAMATTA NSW 2150

Address:

General Matters

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

Drawing No.	Prepared By	Dated
Overall Ground Floor Plan, 11662-DA-A100-R	EJE Architecture	24/03/17
Ground Floor Plan 1, 11662-DA-A101-J	EJE Architecture	24/03/17
Ground Floor Plan 2, 11662-DA-A102-L	EJE Architecture	24/03/17
Ground Floor Plan 3, 11662-DA-A103-K	EJE Architecture	24/03/17
Overall First Floor Plan, 11662-DA-A200-P	EJE Architecture	24/03/17
First Floor Plan, 11662-DA-A201-I	EJE Architecture	24/03/17
Site Section AA, 11662-DA-A300-F	EJE Architecture	24/03/17
Site Section BB, 11662-DA-A301-F	EJE Architecture	24/03/17
Site Section CC, 11662-DA-A302-F	EJE Architecture	24/03/17
Western Elevation, 11662-DA-A400-E	EJE Architecture	24/03/17
Southern Elevation, 11662-DA-A401-E	EJE Architecture	24/03/17
Eastern Elevation, 11662-DA-A402-E	EJE Architecture	24/03/17
Northern Elevation, 11662-DA-A403-E	EJE Architecture	24/03/17
Photo Render, 11662	EJE Architecture	20/01/17
Material Tables, Unnumbered	EJE Architecture	Undated
Signage, NL166964-SN01-A	Northrop	13/02/17
Erosion and Sediment Control Plan, NL166964-C01DA-C	Northrop	28/03/17
Stormwater Management and Levels Plan, NL166964-C02DA-C	Northrop	28/03/17

Documents	Prepared By	Dated
Aboriginal Cultural Heritage Desktop Assessment Ref: 3947/R01/V1 Rev: 1	Umwelt	19/01/17
Addendum for Hazardous Building Material Audit	SMEC	23/01/17
Arboricultural Impact Statement	TLC Tree Solutions	30/01/16
BCA Compliance Report	Glenn Levick	30/01/17
Concept Stormwater Management Letter	Northrop	27/03/17

DA Access Report Ref: 11662 Rev: B	BCA Access Solutions	30/01/17
Electrical Supply & Communications Letter	Electrical Projects Australia	01/02/17
Environmental Condition of Proposed Site Letter	Consara	09/02/17
Flood Emergency Management Plan Ref: NL166964 Rev: B	Northrop	24/02/17
Flooding Consideration and Risk Management Letter and Addendum relating to no excavation	Northrop	31/01/17
Hydraulic Design Letter Ref: 3139-1116M	McCallum PFCA	30/01/17
Independent Review of Flood Risks Ref: J2232R_2	Bewsher Consulting Pty Ltd	10/04/17
Preliminary Construction Management Plan	Progroup Management	Undated
Statement of Environmental Effects Ref: 15456	JBA Urban Planning	14/02/17
Statement of Heritage Impact	Tonkin Zulaikha Greer	31/01/17
Statement of Heritage Impact Historical Archaeology Ref: SYD 15149 Rev: B	Archaeological and Heritage Management Solutions	12/04/16
Structural Design Letter	Northrop	28/03/17
Traffic and Parking Assessment ref: T2-1925	Parking & Traffic Consultants	31/01/17
Visual Impact Assessment Ref: 11662-VIS-001 Rev: D	EJE Heritage	02/2017
Waste Management Plan Ref: 30011784	SMEC	23/01/17

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

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

2. The development shall comply with the requirements of the General Terms of Approval in the Heritage Council of NSW letter dated 28 March 2017.

Reason: To comply with the Heritage Council of NSW requirements.

3. If Aboriginal objects will be harmed as result of development, a s.90 Aboriginal Heritage Impact Permit (AHIP) under the National Parks and Wildlife Act 1974, must be sought and granted for these objects prior to the commencement of works. Any Aboriginal archaeological test excavations to inform the AHIP for harm, will also require an AHIP.

The AHIP application must be accompanied by appropriate documentation and

mapping as outlined on page 6 of Applying for an Aboriginal Heritage Impact Permit, Guide for Applicants.

Consultation with the Aboriginal community undertaken as part of any AHIP application must be in accordance with the Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.

Long term management of Aboriginal objects must be considered as part of the AHIP application.

Reason: To minimize potential impacts on Aboriginal heritage.

4. No approval is granted for excavation, footings, foundations or the like below existing surveyed ground level. Further, no approval is granted for compaction of the existing soils on the site prior to laying footings.

Reason: To minimize potential impacts on archeological heritage.

5. The applicant shall ensure the site is managed at all times in accordance with the requirements of the *Flood Emergency Management Plan for Temporary O'Connell Street Primary School at 24 O'Connell Street* prepared by Northrop, dated 16 March 2017 and the recommendations contained within Attachment B of the *Independent Review of Flood Risks* prepared by Bewsher Consulting Pty Ltd, dated 10 April 2017.

Reason: To ensure the safety of students and staff before, during and after a flood event.

6. The school is not to operate (i.e. no students, teachers or staff are to be present on site) on any day in which the Australian Bureau of Meteorology is predicting, at 4:00pm the preceding day, that the upper limit of the 'possible rainfall' for Parramatta is greater than or equal to 150mm.

Reason: To minimise the risk to human life.

7. In accordance with Section 80A(1)(d) of the Environmental Planning and Assessment Act 1979, the use hereby approved is valid until 13 July 2018 unless otherwise approved by Council. At the end of this period the use must cease. All buildings hereby approved must be removed from the site and the land must revert to its previous state and use (i.e. turfed recreation space) by 13 October 2018.

Note: The Council may, upon receiving an application under Section 96 of the Environmental Planning and Assessment Act 1979 (EP&A Act), prior to the lapse date of this consent extend the period in which this consent is valid. Any application under Section 96 of the EP&A Act should be made to Council at least 6 months prior to the lapse date of the consent in order to allow adequate processing/ assessment of the application. This application must be on the prescribed form. Any application received after the lapse date cannot be considered, as the consent must be valid for any application under Section 95A of the EP&A Act to be approved.

Reason: To ascertain the impacts of the development.

8. Approval is granted for the demolition/removal of all buildings hereby approved, 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 City of Parramatta 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 City of Parramatta 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 1 month 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 works. 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 City of Parramatta 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
 - (ii) 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.
 - (iii) 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.

9. Plans indicating line marking and signage, of public roads and footways shall be submitted to the relevant roads authority for approval where required.

Note. This condition is duplicated from condition B16 in State Significant Development Consent 7372.

Reason: To ensure the safe and efficient movement of vehicles in and around the site.

10. All roads and traffic facilities shall be designed to meet the requirements of Council or RMS (whichever is applicable). The necessary permits and approvals from the relevant road authority shall be obtained prior to the commencement of road or pavement construction works.

Note. This condition is duplicated from condition B21 in State Significant Development Consent 7372.

Reason: To ensure the safe and efficient movement of vehicles in and around the site.

11. Trees greater than five (5) metres in height must not be removed or damaged, unless approved in the consent conditions.

- Reason:** To preserve existing landscape features.
12. 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.
13. Prior to commencement of any construction works associated with the approved development, it is mandatory to obtain a Section 109R Certificate. Plans, specifications and relevant documentation accompanying the Section 109R Certificate must include any requirements imposed by conditions of this Development Consent.
Reason: To ensure compliance with legislative requirements.
14. 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.
15. Pedestrian access to the Subject Site via O'Connell Street is prohibited.
Note. This condition is adapted from condition E3 in State Significant Development Consent 7372.
Reason: To increase the safety of students, teachers and visitors.
16. The applicant is to ensure a minimum distance of 1m between the existing shared public pathway edge and the approved boundary fencing.
Reason: To ensure public safety.
17. All works must be carried out so that:
i. No materials are eroded, or likely to be eroded, are deposited, or likely to be deposited, on the bed or shore or into the waters of the Parramatta River; and
ii. No materials are likely to be carried by natural forces to the bed, shore or waters of the Parramatta River.
Any material that does enter the adjoining water channel must be removed immediately.
Reason: To ensure protection of waterways.
18. Upon removal of the buildings hereby approved, the applicant is required to undertake all necessary reinstatement works to the oval in consultation with, and to the satisfaction of, Council, the Heritage Architect, and Architect and Landscape Architect for the Old Kings School approved under SSD 15_7372.
Reason: To protect public assets and ensure that these assets are repaired in a timely manner.
19. The construction, operation and use of the school is to be implemented in strict accordance with the recommendations outlined in paragraphs 51, 61, 65, 66 and Attachment B in the *Independent Review of Flood Risks* report by Bewsher Consulting Pty Ltd dated 10/04/17.
Reason: To minimise the risks of flooding to human life, property and flood behaviour.

Prior to the issue of a Section 109R 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 Section 109R Certificate.)

20. Details of the following must be submitted for the approval of a suitably qualified hydrologist with the first application for a Section 109R Certificate:

- a. Demonstration to the reasonable satisfaction of a qualified hydrologist, that the foundations and structures supporting the new buildings, and the structures themselves, will not adversely affect flood flow and affectation up to the PMF level;
- b. Demonstration to the reasonable satisfaction of a qualified hydrologist, that the foundations, supporting structures and buildings have been designed by a suitably qualified practicing Structural Engineer to withstand the forces of flowing floodwaters, including debris and other flood-related stresses such as hydrostatic loads, flotation forces, scour around the foundations and impact loads;
- c. Demonstration to the reasonable satisfaction of a qualified hydrologist, that an effective flood warning and evacuation plan will be in place (Flood Emergency Management Plan FEMP) that is appropriate for the efficient and safe relocation of all of the students (covering all age groups) and staff from the site in time to avoid any hazard from rising floodwaters. Evacuations routes must not place people at greater risk (e.g. by passing through higher risk areas). The FEMP must not rely on the support of outside agencies such as SES, Fire and Rescue and Police, but must be prepared in consultation with these agencies. The FEMP must not rely on resources off site such as parents – who may be unable to access, or contact the school during severe storms and floods. Council advises that there are at present no functional early flood warning systems for the Parramatta River. Note the PMF level is 13m AHD which is higher than the floors of the second storey classrooms (homebases). This means 'refuge or shelter in place' is not available in these buildings and this cannot be used as part of the FEMP;
- d. Demonstration to the reasonable satisfaction of a qualified hydrologist that the FEMP makes adequate provision for the disabled, particularly for disabled children;
- e. Demonstration to the reasonable satisfaction of a qualified hydrologist that finished floor levels are to be at, or higher than, the adopted flood planning level of 8.4m AHD;
- f. Three flood warning marker posts (on the southernmost building, northern west corner and north eastern corner) of 300mm min diameter are to be attached to the buildings clearly marked at the level of 8.4m AHD with a "100 year flood planning level" and the top of the marker post set at RL 13m AHD and clearly marked "Probable Maximum Flood"; and
- g. The perimeter fence is positioned such that it restricts student access to the 'high flood hazard' south-eastern corner of the site.

Reason: To minimise flood risk to human life and property.

21. Certification must be provided by a structural engineer demonstrating the structural integrity of all buildings during a Probable Maximum Flood (PMF) event. This certification must be provided prior to the issue of a Section 109R Certificate. The base flood information shall be sourced from the 2D modelling submitted with the application – *Demountables for Temporary O’Connell Street Primary School, 24 O’Connell Street Parramatta – Flooding Considerations and Risk Management* (Northrop, 16 March 2017).

Reason: To ensure the structural integrity of new buildings during a PMF event.

22. Demonstration to the satisfaction of the CA, prior to the issuing of any Section 109R Certificate, or the commencement of any work on the site, that the proposed stormwater system will effectively contain and direct stormwater from the roofs and hard standing /impervious areas into rainwater storage or onto appropriate grass or other garden and pervious areas without causing soil erosion and scour. No approval is given for excavated/buried pipelines.

The ‘Mulch Berm’ along the southern boundary of the site specified in the approved Erosion and Sediment Control Plan Ref: NL166964-C01DA-C by Northrop dated 28/03/17, shall remain in place through the operation of the school and decommissioning of the buildings to reduce sedimentation of the waterway.

Reason: To minimise erosion/scour and sedimentation of waterways.

23. Cigarette butt receptacles must be provided during the construction stage of the development. The receptacles are to be placed adjacent to designated break room/area of the site. Details of the receptacles must be included within the plans and documentation accompanying the Section 109R 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.

24. 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 Section 109R Certificate to the satisfaction of the Certifying Authority.

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

25. All outdoor lighting must comply with the relevant provisions of AS/NZS 158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Details demonstrating compliance with these requirements must accompany the Section 109R 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.

26. 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 Certification 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.

27. An Environmental Enforcement Service Charge must be paid to Council prior to the issue of a Section 109R Certificate. The fee will be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

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

28. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Section 109R Certificate.

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

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

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

29. 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, Section 109R Certificate) and prior to any demolition works being carried out where a Section 109R 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/80/2017;
- (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
Development Site Bonds	\$20,000.00
Hoarding	\$5,000.00 (Class A), \$10,000.00 (Class B)

A dilapidation report is required to be prepared prior to any work commencing. This is required to be submitted to City of Parramatta 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.

Prior to Work Commencing

30. Plans demonstrating compliance with the following flood emergency egress requirements shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of relevant above ground works:
- infrastructure in the form of a suspended walkway (or other suitable option) shall be constructed to provide formal pedestrian access from the temporary school site to flood-free land during a flood emergency; and
 - the infrastructure shall be no less than 1.2 m in width and constructed to a level that does not descend below 9.55 m AHD at any point.

Reason: To ensure the provision of access to higher ground during a flood emergency.

31. Plans demonstrating compliance with the following traffic and parking requirements shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of relevant above ground works:
- all vehicles should enter and leave the Subject Site in a forward direction. In the event that site constraints do not permit heavy rigid vehicles to enter and leave in a forward direction, then all reversing movements should be undertaken under the control of certified traffic controllers to ensure public safety when vehicles are reversing;
 - the layout of the proposed car parking areas that form part of this consent (including driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS/NZS 2890.1 :2004 Parking facilities Part 1: Off-street car parking, AS/NZS 2890.6:2009 Parking facilities- Off-street parking for people with disabilities and AS/NZS 2890.2-2002 Parking facilities - Off-street commercial vehicle facilities for heavy vehicle usage;
 - all demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping;
 - appropriate pedestrian advisory signs are to be provided at the egress from the car park;
 - all works/regulatory signposting associated with the proposed

- development shall be at no cost to the relevant roads authority; and
- f) the swept path of the longest vehicle entering and exiting the Subject Site in association with the new work, as well as manoeuvrability through the Subject Site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.

Note. This condition is duplicated from condition B15 in State Significant Development Consent 7372.

Reason: To ensure the safe and efficient movement of vehicles in and around the site.

32. The trees identified for protection referenced in the Arboricultural Impact Statement prepared TLC Tree Solutions dated 30 January 2016 by shall be protected prior to and during the demolition/construction process in accordance with the documents referenced above.

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

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

Reason: To protect the environmental amenity of the area.

34. Prior to commencement of work, the person having the benefit of the Development Consent and Section 109R Certificate approval must:

- (a) Appoint a Certifying Authority (CA) 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 Certifying Authority must determine and advise the person having the benefit of the Section 109R Certificate when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

35. 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 Certifying Authority prior to the commencement of any work on site.

Reason: To ensure public safety.

36. A sign must be erected in a prominent position on any site involving 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 Certifying Authority;
- (d) The development consent approved construction hours;

The sign must be maintained during 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.

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

Reason: To ensure adequate toilet facilities are provided.

38. 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.

39.

- a) Prior to the commencement of works on the Subject Site, a Construction Environmental Management Plan (CEMP) shall be submitted to the satisfaction of the Certifying Authority. The CEMP shall address, but not be limited to, the following matters where relevant:
 - i. hours of work;
 - ii. 24 hour contact details of site manager;
 - iii. traffic management, in consultation with Council and Transport for NSW (CBD Coordination Office);
 - iv. construction noise and vibration management, prepared by a suitable qualified person;
 - v. management of dust and odour to protect the amenity of the neighbourhood;
 - vi. erosion and sediment control;
 - vii. stormwater control and discharge;
 - viii. measures to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the Subject Site;
 - ix. procedures for encountering groundwater during construction works;
 - x. external lighting in compliance with AS 4282-1997 Control of the obtrusive effects of outdoor lighting;
 - xi. an unexpected finds protocol;
 - xii. waste classification (for materials to be removed) and validation (for materials to remain) be undertaken to confirm the contamination status

in these areas of the site; and xiii) waste storage, recycling and litter control.

- b) The CEMP must not include works that have not been explicitly approved in the development consent. In the event of any inconsistency between the consent and the CEMP, the consent shall prevail;
- c) The Applicant shall submit a copy of the CEMP to the Department and Council, prior to commencement of work; and
- d) The CEMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Note. This condition is duplicated from condition B22 in State Significant Development Consent 7372.

Reason: To ensure the safe and efficient movement of construction vehicles in and around the site.

40.

- a) Prior to the commencement of works on the Subject Site, a Construction Traffic and Access Management Plan (CTAMP) shall be submitted to the satisfaction of the Certifying Authority. The CTAMP shall address, but not be limited to, the following matters where relevant:
 - i. be prepared by a suitably qualified expert;
 - ii. be prepared in consultation with Council, Transport for NSW (C8D Coordination Office) and the Applicant(s) of adjoining construction sites including, but not limited to, the Western Sydney Stadium (SSD 7534) and residential flat building (DN799/2014);
 - iii. identification of construction traffic routes including any known road closures and consideration of alternate routes and construction traffic volumes (including heavy vehicle/spoil haulage) on these routes;
 - iv. details of construction vehicle movements including parking, dedicated vehicle turning areas, and ingress and egress points;
 - v. discussion of construction impacts that could result in disruption of traffic, public transport, pedestrian and cycle access, access to public land, property access, including details of oversize load movements, and the nature and duration of those impacts;
 - vi. discussion of potential cumulative construction impacts on the surrounding road network as a result of the simultaneous construction of adjoining developments;
 - vii. details of management measures to minimise traffic impacts, including temporary road work traffic control measures and measures to minimise peak period congestion;
 - viii. details of measures to maintain or provide alternative safe and accessible routes for pedestrians throughout the duration of construction;
 - ix. details of measures to maintain connectivity for cyclists, with particular emphasis on providing adequate access between key existing cycle routes for commuter cyclists;
 - x. details of methods to be used to communicate proposed future traffic changes to affected road users, pedestrians and cyclists;
 - xi. an adaptive response plan which sets out a process for response to any traffic, construction or other incident; and
 - xii. mechanisms for the monitoring, review and amendment of the

Construction

- b) The Applicant shall submit a copy of the CTAMP to the Department and Council, prior to commencement of work; and
- c) The CTAMP (as revised from time to time) must be implemented by the Applicant for the duration of the construction works.

Note. This condition is duplicated from condition B24 in State Significant Development Consent 7372.

Reason: To ensure the safe and efficient movement of construction vehicles in and around the site.

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

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

42. All mechanical ventilation systems shall be installed in accordance with Part F4.5 of the 8CA and shall comply with the AS 1668.2-2012 *The use of airconditioning in buildings - Mechanical ventilation in buildings* and AS/NZS 3666.1:2011 *Air handling and water systems of buildings-Microbial control* to ensure adequate levels of health and amenity to the occupants of the building and to ensure environment protection. Details shall be submitted to the satisfaction of the Certifying Authority prior to the commencement of building works.

Note. This condition is duplicated from condition B18 in State Significant Development Consent 7372.

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

During Work

43. The construction is to be monitored by a registered Heritage Architect, in keeping with the recommendations of the Statement of Heritage Impact by Tonkin Zulaikha Greer dated 31/01/17.

Reason: To ensure the protection of the Heritage significance of the site.

44. 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).

45. Trees to be removed are:

Tree No.	Species	Common Name	Location
5	<i>Viburnum tinus</i>	Viburnum	Grounds
6	<i>Lagerstroemia indica</i>	Crepe Myrtle	Grounds

Reason: To facilitate development.

46. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Safe Work Australia Guide to managing risks of tree trimming and removal work.

Reason: To ensure works are carried out in accordance the Safe Work Australia Guide to managing risks of tree trimming and removal work.

47. 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.

48. Dust control measures shall be implemented during all periods of 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.

49. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the construction, 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.

50. All building 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.

Note: Council may allow extended work hours for properties located in the Parramatta CBD in limited circumstances and upon written application and approval being given by Parramatta City Council at least 30 days in advance.

Such circumstances where extended hours may be permitted include:

- (a) Delivery of cranes required to the site outside of normal business hours;
- (b) Site is not located in close proximity to residential use or sensitive land uses;
- (c) Internal fit out work.

Reason: To protect the amenity of the area.

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

- (a) The date and time of the complaint;
- (b) The means by which the complaint was made;
- (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that affect;
- (d) Nature of the complaints;
- (e) Any action(s) taken by the applicant in relation to the 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 Certifying Authority upon request.

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

52. 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.

53. A survey certificate is to be submitted to the 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.

54. 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.

55. 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.

56. The applicant is required to ensure that the public pathway along the Parramatta River is fully accessible to the public during construction and decommissioning.

Reason: To protect the amenity of public land.

57. Appropriate ground protection systems are to be in place to prevent damage to any unidentified sub surface archaeology resulting from the use of heavy machinery. This may include heavy duty matting or other suitable measures which are adequate for the weight and size of the machinery being used.

Reason: To minimise impact on sub-surface archaeology.

58. Street trees must be protected during construction works as follows:

- a) Tree trunk and major limb protection must be undertaken prior to or during the installation of any hoarding or scaffoldings. It is to remain in place for the duration of construction and development works, and must be removed at the completion of the project.
- b) Materials or goods, including site sheds, must not be stored or placed:
 - i. around or under the tree canopy; or

- ii. within two (2) metres of tree trunks or branches of any street trees.
- c) Any damage sustained to street tree/s as a result of works, must be immediately reported to the Council's Tree Management Officers on 9806 5050, in order to determine the appropriate action for maintaining the health and structural integrity of any damaged street tree.

Reason: To ensure adequate protection of existing environmental assets and to maintain public amenity.

Prior to Occupation

59. Prior occupation an Environmental Management Plan is to be developed, to the satisfaction of the consent authority, in keeping with the recommendations of preliminary site investigation undertaken in conjunction with State Significant Development Consent 7372.

Reason: To minimise contamination risk.

60. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:

- (a) The development application and Section 109R Certificate number as registered;
- (b) The address of the property at which the inspection was carried out;
- (c) The type of inspection;
- (d) The date on which it was carried out;
- (e) The name and accreditation number of the certifying authority by whom the inspection was carried out; and
- (f) Whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

Reason: To comply with stator requirements.

61. 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.

The Site shall not be occupied 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.

62. Plans demonstrating compliance with the following requirements for bicycle parking shall be submitted to the satisfaction of the Certifying Authority:

- a) The provision of a minimum 13 bicycle parking spaces, including an appropriate number designated for staff-only usage;

Note. This condition is adapted from condition B11 in State Significant Development Consent 7372.

Reason: To encourage cycling and reduce car dependency.

63. The final location of the student set-down and pick-up area is to be determined in consultation and agreement with Council and Transport for NSW, and established prior to the commencement of school operations. Details of consultations undertaken and the final location of the student set-down and pick-up area are to be submitted to the Department for information.
Note. This condition is duplicated from condition D4 in State Significant Development Consent 7372.
Reason: To ensure the safe and efficient movement of pedestrians and visitor traffic around the site.
64. The Applicant shall investigate suitable pedestrian crossing options to ensure school students/pedestrians can safely cross both Marist Place and Market Street. Options are to be considered in consultation and agreement with Council and RMS and may include, but not be limited to, the establishment of a signalised pedestrian crossing or other suitable treatment. The crossing(s) is to be implemented prior to the commencement of school operations. Details of consultations undertaken and the final location and design of the crossing(s) is to be submitted to the Secretary.
Note. This condition is duplicated from condition D5 in State Significant Development Consent 7372.
Reason: To ensure the safe and efficient movement of pedestrians and visitor traffic around the site.
65. Notwithstanding the conditions above, if the final student set-down and pick-up areas and pedestrian crossings have not been implemented prior to occupation of the school hereby approved, the applicant will impose temporary traffic management measures approved by Council officers.
Reason: To ensure the safe and efficient movement of pedestrians and visitor traffic around the site.
66. Way-finding signage and signage identifying car parking for staff and visitors shall be installed prior to occupation.
Note. This condition is duplicated from condition D14 in State Significant Development Consent 7372.
Reason: To assist in way-finding.
67. Bicycle way-finding signage shall be installed within the site to direct cyclists from footpaths to designated bicycle parking area prior to occupation.
Note. This condition is duplicated from condition D15 in State Significant Development Consent 7372.
Reason: To assist in way-finding.
68. Certification to be provided to the Certifying Authority (CA), prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety standards prescribed under the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004.
It is incumbent on the CA to determine the competency of the person providing this certification, based on that person's qualifications, experience and currency of practice.
Reason: To ensure construction and fit-out of the premises meets relevant public health standards.
69. Prior to occupation, Council must be notified that the premises is to be used for the preparation or manufacture of food for sale so that the premises can be registered on Council's food premises licensing database.

Reason: Compliance with the requirements of the Food Act.

The Use of the Site

70. An audit of the FEMP shall be submitted to Council every 6 months. The audit is to include checklists as evidence for all the inspections, monitoring checks and flood drills undertaken.

Reason: To ensure flood evacuation management plan is updated and ready for use.

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

Reason: To ensure the removal of graffiti.

72. 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.

73. A waste storage room is to be provided on the premises large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types.

Reason: To ensure provision of adequate waste storage arrangements.

74. No advertisement/signage shall be erected on or in conjunction with the development without prior consent.

Reason: To comply with legislative controls.

75. The advertisements/signage is not permitted to be illuminated.

Reason: To maintain amenity for adjoining properties.

76. 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.