

COUNCIL ASSESSMENT REPORT

Panel Reference	2018SWC062
DA Number	DA/802/2017
LGA	City of Parramatta
Proposed Development	Installation of seven demountable buildings that are intended to be in place for 30 months.
Street Address	Lot 4-13, Sec 13 DP 758390 EPPING P/S 27-33 Pembroke Street, EPPING NSW 2121
Applicant/Owner	NSW Department of Education
Date of DA lodgement	8 September 2017
Number of Submissions	No submissions
Recommendation	Approval, subject to conditions
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	NA
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act and Regulations • State Environmental Planning Policy No. 55 • SEPP (Educational Establishments and Child Care Facilities) 2017 • State Environmental Planning Policy (Sydney Harbour Catchment) 2005 • State Environmental Planning Policy (Infrastructure) 2007 • Hornsby Local Environmental Plan 2013 • Hornsby Development Control Plan 2013
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Architectural Plans, prepared by GHD Woodhead; • Stormwater Plans, prepared by GHD Woodhead; • Survey Plan, prepared by Survey Plus; • Acoustic Impact Assessment, prepared by GHD Woodhead; and • Heritage Impact Report, prepared by NBRS+Partners
Report prepared by	Ashleigh Matta
Report date	31 May 2018

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 summarised, in the Executive Summary of the assessment report? Yes

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard has been received, has it been attached to the assessment report? N/A

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? No

Conditions

Have draft conditions been provided to the applicant for comment ? Yes

1. Executive Summary

The proposal seeks consent for the installation of seven demountable buildings at the Epping Public School, that are intended to be in place for 18 months. On 29 March 2018 the applicant requested to modify the proposal for the demountables to be in place for 30 months, to allow adequate time for the Development Application process and construction of the new school.

A separate Development Application (DA/754/2017) for the demolition of three buildings on the site; removal of 9 trees, removal of one portable building; construction of a three storey building comprising an educational establishment with a library, learning rooms and amenities, alterations and change of use of rooms within existing building A was approved on 4 April 2018 by the Sydney West Central Planning Panel.

The demountable buildings are proposed to provide accommodation for teaching during the major capital works associated with DA/754/2017.

The subject site is known as 27-33 Pembroke Street Epping. The current property description is Lot 4-13, Sec 13 DP 758390. The subject site has an area of 19.1ha, a frontage of 113m to Pembroke Street and a frontage of 191m to Norfolk Road. The site is zoned R2 Low Density Residential. The surrounding properties are also zoned R2 Low Density Residential and R4 High Density Residential. The subject site currently accommodates a number of buildings in association with the Epping Primary School. The site is located within an established residential area characterised by residential development.

The site is zoned R2 Low Density Residential under Hornsby Local Environmental Plan 2013. The proposed works are ancillary to the existing school, defined by HELP 2013 as an '*Educational establishment*' and is a permissible use with consent in the zone.

In accordance with Council's notification procedures, owners and occupiers of surrounding properties were given notice of the application for a 30 day period between 28 September and 30 October 2017. In response, no submissions were received.

The application was reviewed by Council's Traffic Engineer, Heritage Advisor, Development Engineer, Landscape Officer and Environmental Health Officer. No objections were raised by Council's Specialists in response, subject to the imposition of appropriate conditions of consent.

The site is identified as being bushfire prone within a low threat area (refer to Figure 2 of this report for the NSW RFS Data Map). NSW Rural Fire Service (RFS) issued a bush fire safety authority as required under section 100B of the 'Rural Fires Act 1997', recommending various conditions of consent.

The RFS conditions incorporate the whole site and not just lot 13 DP 758390, which is shown on the NSW RFS Data Map as being affected by the 200m buffer.

The applicant, Department of Education, does not provide concurrence for the RFS conditions and has requested that the RFS conditions are deleted given the temporary nature of the development and given only lot 13 DP 758390 of the site is affected by the NSW RFS Data buffer.

Under section 100B of the *Rural Fires Act 1997*, the proposed development applies to the entire development site, not just the lot upon which the proposal is located. If only a small or

large portion of the overall site is bush fire prone, the whole site in its entirety is considered to be, so that all bush fire measures need to be addressed.

Notwithstanding, the School would have an evacuation and emergency management plan, for the affected lot/classrooms as part of the site is considered bush fire prone, the entire school would be considered bush fire prone and preventative measures would need to be implemented for the site in its entirety.

In this instance as with how all school buildings (including temporary structures) across NSW are considered for bush fire protection, the proposed development, must demonstrate compliance with all aspects of *Planning for Bush Fire Protection 2006*.

Therefore, the conditions imposed by NSW RFS should be included in the consent. Given the applicant has refused to accept the conditions imposed by RFS, the application is referred to the Panel pursuant to S4.33(1)(B) of the Environmental Planning and Assessment Act 1979 for ministerial direction / approval.

2. DA History

8 September 2017	The application was lodged.
22 September 2017	The application was referred to NSW Rural Fire Service.
27 September 2017	Council's Heritage Advisor provided comments.
3 October 2017	Council's Traffic Engineer provided comments.
6 November 2017	A request for information letter was sent to the applicant. The letter requested an Arborist report and stormwater plans.
16 November 2017 – 16 February 2018	Several emails and phone conversations between the Applicant and Council discussing the information required by Council. It is noted that the applicant originally refused to provide the information.
16 February 2018	The applicant submitted a stormwater plan. The application was referred to Council's Development Engineer and Landscape Officer. It is noted that the applicant refused to provide an arborist report.
21 February 2018	Council's Development Engineer provided comments and recommended conditions to be included in the consent.
5 March 2018	Council's Landscape Officer provided comments and recommended conditions to be included in the consent.
3 April 2018	NSW RFS issued a bush fire safety authority, subject conditions.
4 April 2018	The list of conditions was sent to the applicant for concurrence.
9 April 2018	The applicant requested changes and deletion of the RFS conditions.
9 April 2018 – 22 May 2018	Several emails and phone conversations between the applicant, Council and NSW RFS discussing changes and deletion of conditions.
31 May 2018	Council advised the applicant that a report is being prepared for the Sydney Central City Planning Panel.

3. Site Description, Location and Context

The subject site is known as 27-33 Pembroke Street Epping. The current property description is Lot 4-13, Sec 13 DP 758390.

The subject site has an area of 19.1ha, a frontage of 113m to Pembroke Street and a frontage of 191m to Norfolk Road.

The site is zoned R2 Low Density Residential. The surrounding properties are also zoned R2 Low Density Residential and R4 High Density Residential.

The subject site currently accommodates a number of buildings in association with the Epping Primary School. The site is located within an established residential area characterised by residential development.

On 12 May 2016, Local Government (City of Parramatta and Cumberland) Proclamation 2016 was gazetted; creating the City of Parramatta. Hornsby Local Environmental Plan 2013 still applies to the land previously within the Hornsby Shire Council.

The site was inspected on 28 September 2017.

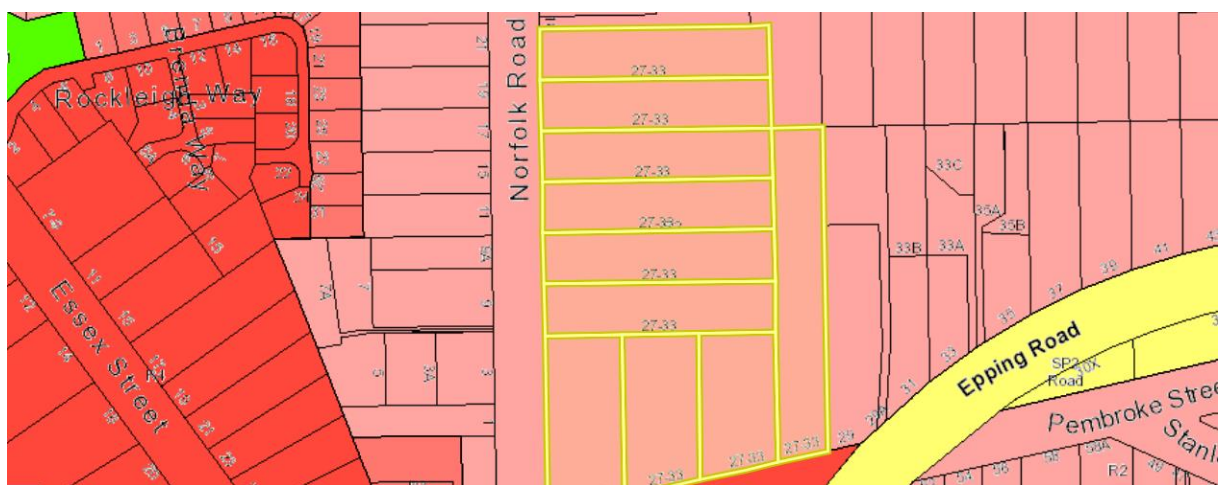


Figure 1: Zoning Map (Source: Council's GIS Maps)



Figure 2: NSW RFS Data (Source: Council's GIS Maps)

4. The Proposal

The proposed development includes the installation of seven demountable buildings that are intended to be in place for 18 months. On 29 March 2018 the applicant requested to modify the proposal for the demountables to be in place for 30 months, not 18 to allow adequate time for the DA process and construction of the new school.

A separate Development Application (DA/754/2017) for the demolition of three buildings on the site; removal of 9 trees, removal of one portable building; construction of a three storey building comprising an educational establishment with a library, learning rooms and amenities, alterations and change of use of rooms within existing building A was approved on 4 April 2018 by the Sydney West Central Planning Panel.

5. Public notification

The application was notified in accordance with the notification procedures contained within Table 1B.5(a) Hornsby DCP 2013. In response no submissions were received.

6. Referrals

Internal Referrals	Comment
Development Engineer	Supported subject to conditions. (Referral comments D05830782)
Landscape	Supported subject to conditions. (Referral comments D06008573)
Heritage	Supported subject to conditions. (Referral comments D05605950)
Traffic and Transport	Supported. (Referral comments D05606961)
Environmental Health	Supported. (Referral comments D05827922)
External Referrals	Comments
Rural Fire Services	<p>Supported subject to conditions (Referral comments D06055677)</p> <p>The applicant, Department of Education, does not agree with the conditions and has requested that the RFS conditions are deleted given the temporary nature of the development and given only lot 13 DP 758390 of the site is affected by the NSW RFS Data buffer.</p> <p>The applicant has requested the following changes to the NSW RFS conditions:</p> <p><u>Condition no. 3</u> <i>Remove “the maintenance of the entire school site” and replace with ‘works on Lot 13 DP 758390 shall ...’;</i></p> <p><u>Condition no. 4:</u> <i>Add at the beginning “On Lot 13 Section 13 DP 758390 any;</i></p> <p><u>Condition no. 5</u> <i>Add at the beginning “On Lot 13 Section 13 DP</i></p>

	<p>758390 any;</p> <p><u>Condition no. 7</u></p> <p>Add at the beginning "On Lot 13 Section 13 DP 758390 any";</p> <p><u>Condition no. 8</u></p> <p>Add at the beginning "On Lot 13 Section 13 DP 758390 Landscape to the site"; and</p> <p><u>Condition no. 9</u></p> <p>Add at the beginning "On Lot 13 Section 13 DP 758390 in accordance".</p> <p>RFS do not accept any modifications to the conditions and requested the applicant accept the conditions or alternatively, submit a bushfire report prepared by a suitably qualified person in accordance with Clause 44 of the <i>Rural Fires Regulation 2013</i>.</p> <p>This advice was provided to the applicant and a bushfire report was requested on 20 April 2018. The information is yet to be submitted to Council.</p> <p>The conditions imposed by NSW RFS should be included in the consent and the application is referred to the Panel pursuant to S4.33(1)(B) of the Environmental Planning and Assessment Act 1979.</p>
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7. Environmental Planning and Assessment Act 1979

Does Section 1.7 (Significant effect on threatened species) apply ?	No
Does Section 4.10 (Designated Development) apply ?	No
Does Section 4.46 (Integrated Development) apply ?	No
Does Section 4.55 (Modifications of Consent) Apply?	No
Are submission requirements within the Regulations satisfied?	Yes

8. State Environmental Planning Policy 55 – Remediation of Land

Clause 7 of this Policy requires that the consent authority must consider if land is contaminated and, if so, whether it is suitable, or can be made suitable, for a proposed use.

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: The site is not identified in Council's records as being contaminated. The site does not have a history of a previous land use that may have caused contamination and there is no evidence that indicates the site is contaminated.

- Do existing records of the planning authority show that an activity listed in Table 1 has ever been approved on the subject land?

Planning Comment: The site is not identified in Council's records as having an activity approved that is listed in Table 1.

Acid/alkali, plant and formulation	Landfill sites
Agricultural/horticultural activities <i>(our emphasis)</i>	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 R2 Low Density Residential under Hornsby Local Environmental Plan 2013.

- 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 site inspection did not identify any activities listed in Table 1.

- 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 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: The site is not identified as being contaminated and the above is sufficient to satisfy the requirements of Clause 7 without the need for the preparation of a further Phase 1 preliminary investigation report.

9. State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The Development Application seeks consent for an *Educational Establishment*, pursuant to SEPP (EECCF) 2017. Below is an assessment against Part 4 Schools – specific development controls;

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017		
Requirement	Proposal	Compliance
Part 4 – Schools – Specific Development Controls		
33 Definition of “prescribed zone”	The site is zoned R2 Low Density Residential, which is identified as a prescribed zone within the definition.	Yes
34 Development for the purpose of student accommodation	Not applicable	N/A
35 Schools – Development permitted with consent	Schools are permissible with consent in any prescribed zone (including R2). Clause 35(9) advises that any requirement, standard or control included in a DCP is of no effect when related to a school.	Yes
36 Schools – Development permitted without consent	Works are within 5m from the boundary.	Development Consent is Required
37 Notification of carrying out of certain development without consent	Not applicable	N/A
38 Existing schools – exempt development	The proposal is not considered to be exempt development as works are within 5m of the boundary.	N/A
39 Existing schools –	Not applicable	N/A

complying development		
40 School-based child care – complying development	Not applicable	N/A
41 Complying development certificates – additional conditions	Not applicable. The proposed development is not State significant.	N/A
Part 7 General development controls		
57 Traffic Generating development	No additional students as a result of the proposal.	NA

The proposal therefore satisfies the standards contained in SEPP (Educational Establishments and Child Care Facilities) 2017.

10. Hornsby Local Environmental Plan 2013

On 12 May 2016, Local Government (City of Parramatta and Cumberland) Proclamation 2016 was gazetted; creating the City of Parramatta. Hornsby Local Environmental Plan 2013 still applies to the land previously within the Hornsby Shire Council.

The relevant matters to be considered under Hornsby Local Environmental Plan 2013 for the proposed development are outlined below.

Development standard	Compliance
Permissibility	<p>The site is zoned R2 Low Density Residential under Hornsby Local Environmental Plan 2013. The proposed works are ancillary to the existing '<i>Educational establishment</i>' and is a permissible use with consent in the zone.</p> <p>The proposed development is consistent with the aims and objectives of the R2 Low Density Residential zoning applying to the land as the proposed works provide facilities or services to meet the day to day needs of residents.</p>
Height of Buildings Allowable = 8.5m Proposed = 3m	Complies
Floor Space Ratio Allowable = NA Proposed = NA	The FSR map does not indicate a maximum FSR for the site.
Development on land intended to be acquired for public purposes	The proposal is not identified on the map.
Architectural roof features	An architectural roof feature is not proposed.
Development below mean high water mark	The proposal is not for the development of land that is covered by tidal waters.
Preservation of trees	Council's Landscape officer has reviewed the application and has raised no objection to the proposal.

Heritage Conservation	Council's Heritage Advisor has reviewed the proposal and has no objection to the proposal from heritage perspective.
Aboriginal Places of Heritage significance	Yes
Acid sulphate soils	An Acid Sulphate Soils Management plan is not required to be prepared.
Earthworks	Council's Development Engineer has reviewed the application and considers that the proposed earthworks are satisfactory.
Flood planning	The site is identified as 'overland flood affected' due to the open Creek running through the North of the property. All seven demountable buildings are proposed in hatched areas expected to be affected by overland flooding, which is concerning. However, overland flooding was investigated by the applicant and found to be restricted to a smaller area of the site than indicated in Hornsby Council's broad hatching data. Council's Engineer has reviewed the application and raises no objection to the proposal.
Biodiversity protection	The site is not identified on this map.
Water protection	The site is not identified on this map.
Development on landslide risk land	The site is not identified on this map.
Affected by a Foreshore Building Line	The site is not located in the foreshore area.
Bushfire Prone Land	The site is identified on the NSW RFS Data Map. RFS have reviewed the application and recommended conditions to be included in the consent.

11. Hornsby Development Control Plan 2013

As noted above, Section 35 subclause (9) of the SEPP (Educational Establishments and Child Care Facilities) 2007, states that any requirement, standard or control included in a DCP is of no effect when related to a school.

12. Development Contributions and Bonds

Contributions

Council's Strategic Officer provided the following advice in regards to contributions:

- *The relevant plan is the Former Hornsby S94A Plan*
- *Under Circular D6, contributions for educational services under a crown DA are generally limited to drainage works, and in some cases roads / traffic management.*
- *The cost of works being \$43,393, a 1% levy of \$433.39 would ordinarily apply to the development*
- *Only drainage applies in this case.*
- *The apportionment to drainage works under the plan is 1.72% of the levy. Therefore a contribution of \$7.46 would apply.*
- *We recommend the contribution be **waived** in this instance.*

The Section 7.12 Contributions are waived in this instance.

Bonds

In accordance with the 2017/2018 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.

13. Conclusion

After consideration of the development against Section 4.15 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.

14. Recommendation

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

That Council grant development consent to DA/802/2017 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the following conditions:

General Matters

PA0001 # Approved plans and supporting documentation

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
Proposed demountable buildings, Plan DA-AR-0001, Revision A	GHD	15/12/2017
Plan showing detail and levels, Plan 1 of , Revision A	Survey Plus	10/07/2017
Comms & Lighting Layouts, Plan OS606.3-4.CR, Revision 0	GHD	22/12/2016
Floor & Reflected Ceiling Plans, Plan OS606.1-4.CR, Revision 3	GHD	22/12/2016
External and internal elevations, Plan OS606.2-4.CR, Revision 3	GHD	22/12/2016
Civil-overall stormwater drainage plan, Plan 21-26108-EP-DA-C1-1110, Revision B	GHD	15/02/2018
Civil stormwater drainage plan, Plan 21-26108-EP-DA-C1-1111, Revision B	GHD	15/02/2018
Civil stormwater drainage plan, Plan 21-26108-EP-DA-C1-1112, Revision B	GHD	15/02/2018
Stormwater drainage details, Plan 21-26108-EP-DA-C1-1115, Revision A	GHD	19/12/2017

Document(s)	Prepared By	Dated
Acoustic Impact Assessment	GHD	12/02/2018
Heritage Impact Report	NBRS+Partners	26/04/2016

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.

PA0004 No encroachment on Council and/or Adjoining proper

2. 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.

Asset Protection (RFS Conditions)

3. For the life of the development, the maintenance of the entire school site shall conform to the standards of an inner protection area (IPA) as outlined within 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
4. Water, electricity and gas are to comply with sections 4.1.3 and 4.2.7 of 'Planning for Bush Fire Protection 2006'.
5. Arrangements for emergency and evacuation are to comply with section 4.2.7 of 'Planning for Bush Fire Protection 2006'.

Design and Construction (RFS Conditions)

6. The proposed demountable buildings on Lot 13 Section 13 DP 758390 shall comply with Sections 3 and 5 (BAL 12.5) Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas - 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006'.
7. Any new Class 1 Db structures as defined per the 'Building Code of Australia' shall be non-combustible.
8. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.

General Advice (RFS Conditions)

9. In accordance with the performance criteria for Asset Protection Zones under section 4.2.7 of 'Planning for Bush Fire Protection 2006', the Applicant is to ensure that the maintenance of land with slopes exceeding 18 degrees is practical and that the soil stability is not compromised.

Prior to Work Commencing

PB0002 Long Service Levy payment for Constr. over \$25,000

10. Works are not to commence unless 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.

PB0003 Building work in compliance with BCA

11. 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 and Assessment Act 1979, as amended and the Environmental Planning and Assessment Regulation 2000.

DB0001 Stormwater Disposal

12. All roof water and surface water is to be connected to an operable drainage system. Details are to be shown on the final construction plans and documentation.

Reason: To ensure satisfactory stormwater disposal.

DB0002 Retaining walls

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

The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior commencement of the works.

Structural details, certified by a practicing structural engineer, shall be prepared prior to commencement of works.

Reason: To minimise impact on adjoining properties.

DB0003 Sydney Water Quick check

14. A building plan approval must be obtained from Sydney Water Tap in™ to ensure that the approved development will not impact Sydney Water infrastructure.

Please refer to the website <http://www.sydneywater.com.au/tapin/index.htm>, Sydney Water Tap in™, or telephone 13 20 92.

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

DB0004 Dial Before you Dig Service

15. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to receive written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services.

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

DB0021 Impact on Existing Utility Installations

16. Where work is likely to disturb or impact upon utility installations, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the proposed works must be obtained prior to commencement of works.

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

DC0002 Road Opening Permits - DA's involving drainage wrk

17. The applicant must apply for a road-opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas).

In addition, no drainage work can be carried out within the Council owned land without this permit being issued. A copy is required to be kept on site.

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

DC0006 Erosion and Sediment Control measures

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

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

DC0007 Site Maintenance

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

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

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

DC0009 Special Permits

20. 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.

PB0038 #Security Bonds (For minor development)

21. 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, and prior to any works commencing.

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 / 422 /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
Nature Strip and Roadway	\$5,000

A dilapidation report is required to be prepared prior to any work or demolition 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.

22. Prior to commencement of work, the person having the benefit of the Development Consent must:
- (a) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

Reason: To comply with legislative requirements.

23. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access, prior to the commencement of any work on site.

Reason: To ensure public safety.

24. 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 contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- (c) 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.

25. Public risk insurance in the amount of not less than \$20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:

- (a) Above;
- (b) Below; or
- (c) On

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

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

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

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

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

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

Reason: To ensure adequate toilet facilities are provided.

LCNSC Non-standard - Prior to Work Commencing

27. A Methodology Statement, prepared by a suitably qualified arboriculture's (Australian Qualification Framework Level 5), must be prepared prior to commence of works. This statement is to identify the measures to be implemented for protection of trees adjacent to the proposed buildings during construction and the expected future health of the trees. The statement is to be structured so that each of the following stages of construction are individually addressed, namely:

- (a) Excavation;
- (b) Canopy trunk and tree root protection;
- (c) Pruning of trees within the adjoining property
- (d) Installation of services (i.e. bridging of roots); and
- (e) Back filling

Reason: To ensure adequate protection of existing trees.

During Work

28. 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.

PD0003 Dust Control

29. 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

30. 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.

PD0006 #Hours of work and noise

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

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

Reason: To protect the amenity of the area.

PD0007 Complaints register

32. 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 upon request.

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

PD0008 Noise

33. 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.

PD0010 Survey Report

34. 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.

TD0001 Occupat. of any part of footpath/road - Enure Mge

35. 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.

TD0002 Oversize vehicles using local roads

36. 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.

DD0011 Nomination of Engineering Works Supervisor

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

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

DD0001 Drainage to existing system

38. Stormwater from the new impervious areas along the Eastern side of the site must be piped to the existing site drainage system. The installation of new drainage components must be completed by a licensed contractor in Accordance with AS3500.3 (2003) - Stormwater Drainage and the Building Code of Australia (National Construction Code). During the course of development works, the state of the existing site drainage system must be verified by a licensed plumber, and any necessary repairs and maintenance carried out.

Reason: To ensure satisfactory stormwater disposal.

DD0002 #Stormwater must be connected to the kerb & gutter

39. Stormwater from the demountable structure proposed in the North-Western corner of the site must be connected to the kerb and gutter within the property frontage in Norfolk Road.

Reason: To ensure satisfactory storm water disposal.

DDNSC Raised construction

40. All demountable structures must be raised on piers as per the recommendations of 'Overland flow path and flooding investigation, reference number 21/26108, dated 14/12/2017, prepared by GHD'.

Reason: To minimise impacts to the natural stormwater overland flow regime.

Prior to the issue of an Occupation

BE0001 Record of inspections carried out

41. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, critical stage inspections shall be recorded as soon as practicable after it has been carried out. The record must include:
- (a) The development application 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) Whether or not the inspection was satisfactory.
- Reason:** To comply with stator requirements.

PE0024 The Release of Bond(s)

42. 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.

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.

LD0003 Pruning of trees by an arborist

43. All pruning must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist and confirm to the provisions of AS4373-2007 "Pruning Amenity Trees", and the Safe Work Australia Guide to managing risks of tree trimming and removal work.
- Reason:** To ensure the pruning will not adversely affect the tree(s).

LD0006 #Excavation to be supervised by arborist

44. All excavation within the tree protection zone of trees located within the site and adjoining properties is to be supervised by an Australian Qualifications Framework (AQF) Level 3 arborist. If during excavation the Arborist identifies remedial work is necessary, it is to be supervised by this Arborist.

Once the work is completed a written report detailing the remedial work undertaken is to be forwarded to the Principal Certifying Authority.

Reason: To provided adequate protection of trees.

The Use of the Site

DFNSC Structures to be removed after 30 months

45. This development is approved under the understanding that it is temporary. All structures must therefore be removed 30 months after the commencement of use. All costs must be borne by the applicant.
- Reason:** To prevent increased stormwater runoff generated by the additional impervious area from negatively impacting flood conditions within the catchment in the long term.

PF0049 Graffiti Management

46. 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.

PF0004 External Plant/Air-conditioning noise levels

47. 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.

EAF0009 Use of Premises

48. The use of the premises not giving rise to:

- (a) transmission of unacceptable vibration to any place of different occupancy
- (b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

Reason: To prevent loss of amenity to the area.

EAF0004 No 'offensive noise'

49. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.

Reason: To reduce noise levels.