

APPENDIX 3 - DRAFT CONDITIONS OF CONSENT (DA/596/2020)

Pursuant to Clause 100 of the Environmental Planning and Assessment Regulation 2000, this Notice of Determination relates to a staged development (Concept Plan). A subsequent development application is required prior to commencement of any work on the site in respect to Stage 2 (detailed construction documentation).

Pursuant to Section 4.22 of the Environmental Planning and Assessment Act 1979, consent be granted to Development Application No. DA/596/2020 subject to the following conditions:

General Matters

Approved Plans and Supporting Documentation

1. The future stage 2 detailed Development Application related to this concept approval is to be not inconsistent with the following concept plans endorsed with Council's stamp, except where amended by other conditions of this consent and/or any plan annotations and subsequent separate development applications as part of the future detailed Development Application:

Architectural Drawings (Fuse Architects Job No. 1928)

Drawing No.	Revision	Title	Date
CP101	D	Typical Basement 2-3 Plan	16/09/21
CP101A	D	Basement 1 Plan	16/09/21
CP102	D	Ground Floor Plan	16/09/21
CP103	D	Building Envelope Plan Level 1-5	16/09/21
CP104	D	Building Envelope Plan Level 6	16/09/21
CP105	D	Building Envelope Plan Roof Plan	16/09/21
CP201	D	East Elevation	16/09/21
CP202	D	North Elevation	16/09/21
CP203	D	South Elevation	16/09/21
CP204	D	West Elevation	16/09/21
CP301	D	Section DD	16/09/21
CP302	D	Section BB	16/09/21
CP303	D	Site Section	16/09/21
CP601	D	SEPP 65 Diagrams – Landscape	16/09/21
CP602	D	LEP Height Diagram	16/09/21

Reason: To ensure future detailed applications are in keeping with the approved concept.

Concept Envelopes

2. The Concept Plan approved envelopes do not guarantee that a future building form will be approved in that form.

Reason: To ensure future detailed building forms achieve a suitable standard of design.

No Works Approved

3. No approval is given for any work on the site, including tree removal. A detailed development application must be submitted to and approved by Council prior to any works on the site.

Reason: To satisfy requirements of Clause 100 of the Environmental Planning and Assessment Regulations 2000.

Compliance with Concept

4. All subsequent development applications and the issue of any associated Construction Certificates must not be inconsistent with the conditions of this Concept approval.

Reason: To ensure that development on the site is consistent with the concept plan.

Child Care Centre Capacity

5. Notwithstanding the drawings and reports hereby approved, this document confers no consent for the occupant capacity of the child-care centre use.

Reason: Insufficient certainty regarding quantum of indoor and outdoor play space.

Affordable Rental Housing

6. For a period of 10 years from the date of issue of the residential occupation certificate:

- a) 50% of the Gross Floor Area of the residential section of the development shall be used for the purposes of affordable rental housing as defined by the Affordable Rental House SEPP 2009.
- b) All accommodation that is used for affordable rental housing shall be managed by a registered community housing provider.

Reason: To justify the approved FSR and ensure community benefits are realised.

Design

Driveway Design

7. Notwithstanding the drawings and reports hereby approved, the basement driveway shall be designed so that it is contained within the building envelope, rather than an open undercroft space.

Reason: To ensure an appropriate built form and minimise acoustic impacts on adjoining properties and occupiers.

Roof-top Open Space

8. Notwithstanding the drawings and reports hereby approved, the roof-top open space must comply with the requirements of clause 6.16 of the Parramatta Local Environmental Plan 2011 (or its equivalent in any superseding instrument).

Reason: To ensure compliance with the applicable controls.

Pedestrian Pathways

9. Notwithstanding the drawings and reports hereby approved, all pedestrian pathways from the public footway to the entrances of the building shall be separated from the driveway by at least 2 metres.

Reason: To ensure safety of pedestrians.

Child Care Privacy

10. Notwithstanding the drawings and reports hereby approved, screening shall be provided to maximise the privacy of the ground floor child care outdoor play space from residential occupants of the building.

Reason: To ensure privacy of child-care occupants.

Public Domain Upgrades

11. The future detailed development application shall include details of upgrades to the public domain along the full frontage of the site. The details are to be consistent with the City of Parramatta Public Domain Guidelines.

Reason: To ensure appropriate upgrades to public domain to accommodate increased density of the site.

Front Fence

12. Notwithstanding the drawings and reports hereby approved, the front fence shall be a maximum of 1.6m in height relative to adjacent finished public domain ground level, subject to child care safety requirements.

Reason: To protect streetscape appearance.

Waste Storage

13. Notwithstanding the drawings and reports hereby approved, the waste storage enclosure in the front setback is not approved at this time. Further exploration of incorporation in the ground floor envelope of the building is required. Separation distance between the child care entrance and waste storage area should be maximised.

Reason: To protect streetscape appearance.

Tree and Landscape Requirements

14. The following tree and landscaping requirements must be achieved in the future Stage 2 detailed Development Application:

- a) Architectural/landscape drawings and supporting documents must demonstrate that the following trees identified in the Arboricultural Impact Assessment by Treehaven Environments dated 24/07/2016 are to be retained and sufficiently protected during site works:

Tree No.	Name	Common Name	Radius from the trunk	Location
13	<i>Archontophoenix cunninghamiana</i>	Bangalow Palm	Subject to Arborist advice	<i>Relocated within site</i>

14	<i>Archontophoenix cunninghamiana</i>	Bangalow Palm	Subject to Arborist advice	<i>Relocated within site</i>
18	<i>Wodyetia bifurcata</i>	Foxtail Palm	Subject to Arborist advice	<i>Relocated within site</i>
19	<i>Wodyetia bifurcata</i>	Foxtail Palm	Subject to Arborist advice	<i>Relocated within site</i>
21	<i>Pinus patula</i>	Mexican Weeping Pine	5.76m	<i>Retained in situ</i>

- b) A minimum of 6 canopy trees, capable of achieving a canopy height of at least 13 metres, shall be provided in deep soil on the site. Selection of trees shall be consistent with the relevant requirements of the Parramatta DCP.
- c) A planter will be provided in the front setback to accommodate at least one of the canopy trees required in sub-section (b) above.
- d) The following minimum soil depths and soil volumes must be provided to ensure successful planting on structure is achieved (excludes sub-surface drainage and structural build-up):
 - Small Tree (6-8m high / 4m canopy width): 9m³ per tree / min. 800mm soil depth
 - Medium Tree (8-12m high / 8m canopy width): 25m³ per tree / min. 1000mm soil depth
 - Large Tree (12-18m high / 16m canopy width): 67.5m³ per tree / min. 1200mm soil depth

Reason: To ensure adequate protection of existing trees and provision for planting of new trees.

Environmentally Sustainability Design

15. The future detailed development application shall include a report, from a suitably qualified consultant, which outlines how the development will ensure the following principles of Environmentally Sustainable Design are incorporated into the development:
 - Minimisation of Urban Heat Island Effect
 - Minimisation of reflection of solar light and heat from facades into the public domain, adjoining buildings and private open spaces.
 - Water Sensitive Urban Design including dual reticulation water piping for recycled water.

Reason: To ensure the proposal achieves excellence in sustainability.

Advisory Notes

See below list of advisory notes to assist with preparation of the Stage 2 development application. Please note that this is not intended to be an exhaustive list.

- A. **Green Travel Plan** – A Green Travel Plan will be required with any future development application.
- B. **Waterproofing 'Tanking' of Basement** – Council does not support draining of groundwater intercepted by basements into Council's stormwater system. As such it must be demonstrated that the basement will either be waterproof or that the site can treat and use all groundwater.
- C. **Documentation** – Please provide a long section drawing of the basement to demonstrate transitions are consistent with the relevant Australian Standards.
- D. **Traffic Committee** – Please note that it is considered likely that the frontage of the site will need to be converted to a 'No Stopping' zone. A separate application to the Parramatta Traffic Committee will be required prior to occupation.
- E. **Electrical Infrastructure** – Please note that electrical infrastructure is located in the vicinity of the site, including a low voltage overhead service conductor servicing No. 13 Fig Tree Avenue. Such infrastructure will require setbacks or relocation. Please engage with the energy provider, Endeavour Energy, directly to discuss.
- F. **Water Infrastructure** – Please note that water infrastructure amplifications, adjustments, and /or minor extensions may be required to service the proposed development. Please engage with the water provider, Sydney Water, directly to discuss.
- G. **Satisfactory Arrangements** – Please note that, per cl. 8.1 of the Parramatta LEP 2011, satisfactory arrangements regarding contributions for state public infrastructure will be required prior to any consent for the future detailed development application.