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| City of Parramatta | |
| File No: | DA/226/2023 |

SECTION 4.15 ASSESSMENT REPORT

Environmental Planning & Assessment Act 1979

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| DA No: | DA/226/2003 |
| Subject Property: | Lot 422, DP 746665 7 Wentworth Street, Parramatta |
| Proposal: | Internal and external alterations and additions to the existing commercial office building to facilitate the use of Levels 1-4 as City of Parramatta administration offices. |
| Date of receipt: | 26 April 2023 |
| Applicant: | City of Parramatta Council |
| Owner: | City of Parramatta Council |
| Property owned by a Council employee or Councillor: | The site is not owned by a Council employee or Councillor, however, will be occupied as Council administration offices. |
| Political donations/gifts disclosed: | None disclosed on the application form |
| Submissions received: | Nil |
| Recommendation: | Approval, subject to conditions of consent |
| Assessment Officer: | Planning Ingenuity (Town Planning Consultants) |

Legislative Requirements

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| Relevant provisions considered under section 4.15(1)(a) of the Environmental Planning and Assessment Act 1979 | <ul style="list-style-type: none">• State Environmental Planning Policy (Biodiversity and Conservation) 2021• State Environmental Planning Policy (Resilience and Hazards) 2021• State Environmental Planning Policy (Transport and Infrastructure) 2021• State Environmental Planning Policy (Exempt and Complying Development Codes) 2008• Parramatta Local Environmental Plan 2023 (PLEP 2013)• Parramatta Development Control Plan 2011 (PDCP 2011) |
| Zoning | MU1 – Mixed Use |
| Bushfire Prone Land | No |
| Heritage | No |
| Heritage Conservation Area | No |
| Designated Development | No |
| Integrated Development | No |
| Clause 4.6 variation | No |
| Delegation | Parramatta Local Planning Panel (PLPP) |

1. Executive Summary

Development Application DA/226/2023 was lodged on 26 April 2023 for the internal and external alterations and additions to the existing office building to facilitate the use of Levels 1-4 as City of Parramatta administration offices at Lot 422, DP 746665, No. 7 Wentworth Street, Parramatta.

The office building to which this application relates is primarily used for office purposes and contains a range of educational institutions across various levels. Levels 1-4 (subject of this application) are currently vacant, however, were

formally occupied by the Department of Home Affairs. Additionally, a portion of Level 1 accommodates an assembly hall which was previously used for the hosting of citizenship ceremonies.

The proposed development is permissible with consent in the MU1 – Mixed Use zone and is considered to be consistent with the relevant objectives and requirements of Paramatta Local Environmental Plan 2023 (PLEP 2023) and Paramatta Development Control Plan 2011 (PDCP 2011). The site is not identified as a heritage item. The closest heritage item is located to the north of the site, across Woodhouse Lane, and is identified as Item 664. Due to the nature of the development and the minor external alterations and additions, the proposal is not considered to have an adverse impact on the heritage items located in the vicinity of the site.

The proposal does not seek to vary any of the relevant development standards under PLEP 2023.

In accordance with the Community Engagement Strategy, the Development Application was notified and advertised between 5 May and 2 June 2023. No submissions were received during this period.

In accordance with the Environmental Planning and Assessment Act 1979, Section 9.1 – Directions by the Minister, this application is reported to the Parramatta Local Planning Panel for determination as the City of Parramatta Council is the applicant for the development.

Section 4.15 Assessment Summary

The application has been assessed pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

Having regard to the context of the site and the applicable environmental planning controls, the proposed development is considered to provide an appropriate planning outcome which enables ongoing use of the existing office building whilst maintaining the amenity of surrounding properties.

It is recommended that Development Application No. DA/266/2023 be approved, subject to conditions of consent. The recommended conditions of consent are within **Attachment 1**.

2. Site Description and Conditions

The site is legally described as Lot 422, DP 746665, No. 7 Wentworth Street, Paramatta.

The site has a primary frontage towards Wentworth Street, and a secondary frontage towards Fire Horse Lane, which is restricted to pedestrian use only. The site is occupied by a commercial office building comprising two (2) levels of basement below ground level, a ground floor primary lobby entrance, and six (6) storeys of commercial office space. The subject site is devoid of vegetation, with a street tree located adjacent to the eastern boundary within the footpath zone.

All proposed works are to be contained within the existing building.

The site is located within the Paramatta Central Business District (CBD), approximately 115m from Paramatta Railway Station and 149m from the Church Street and Great Western Highway intersection. Surrounding the site is commercial core development with mixed-use zones supporting commercial and residential development, with active uses typically accommodated at ground floor.

The site is bound by existing development on all boundaries, consisting specifically of the following:

- **North:** Café which provides an active frontage to Wentworth Street.
- **East:** Immediately east, the site is bound by Wentworth Street, and further east is a commercial car park, commercial office building ranging in height from 3-10 storeys, and a food and beverage premises located at the ground floor.
- **South:** Immediately south is a six (6) storey commercial building which accommodates a range of educational institutions. Beyond this is Jubilee Park.
- **West:** Paramatta Station Car Parking premises. Beyond this are high rise commercial towers.

The site currently contains one vehicular access point, accessible off Wentworth Street which provides access to the 2-level basement parking. The main pedestrian entrance is accessed from Wentworth Street which provides access to the building's lobby. A secondary pedestrian access point is provided from Fire Horse Lane to the western side of the building. The site is located 115m from Parramatta Station and is supported by a bus interchange which provides connections to Penrith, Sydney CBD, and the surrounding area.

Aerial images and photographs in **Figures 1-5** below further describe the site context:

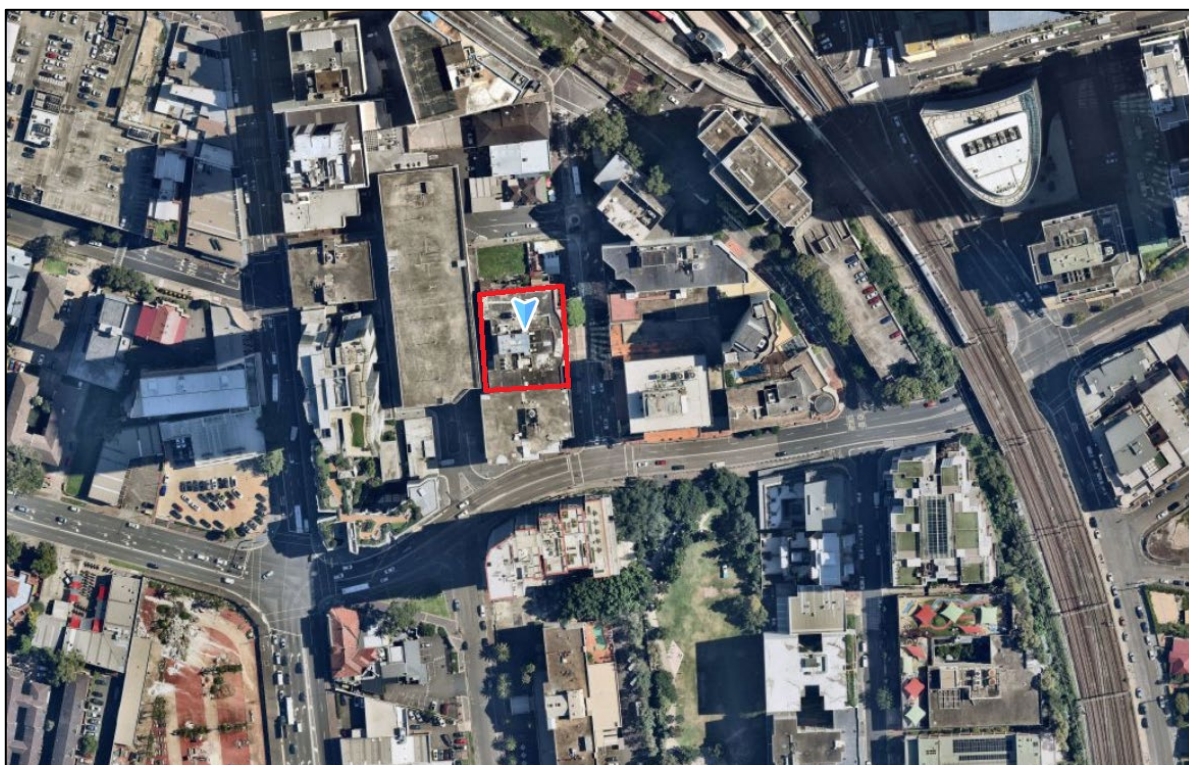


Figure 1: Aerial image of 7 Wentworth Street, Parramatta and surrounds. Subject site outlined in red.
(Source: Nearmap)



Figure 1: Subject site as viewed from Wentworth Street looking south-west



Figure 2: Subject site as viewed from Wentworth Street looking north-west



Figure 3: Subject site looking south from Woodhouse Lane



Figure 5: Existing Heritage Item located across Woodhouse Lane looking north

3. Relevant Site History

Table 1 below provides details of existing approvals relating to the subject site.

| Development Application | Description |
|-------------------------|---|
| DA/16124/1992 | Partitioning and use as office for Telecom Australia. |
| DA/461/1996 | Erection of illuminated sign under the colonnade for existing Japanese restaurant. |
| DA/1048/1998 | Fit-out works to part of Level 5 to accommodate a new office premises for Telstra. |
| DA/988/2004 | New handrails and tactile surfaces to existing stairs. |
| DA/379/2006 | Installation of new air conditioning packaged units, new cooling towers and new pumps at roof level of existing commercial building. |
| DA/264/2007 | Change of use of Level 1 to convert a portion of the floorplate from an office to a public function room which formerly operated as a public assembly hall for the hosting of citizenship ceremonies. |
| DA/860/2007 | Fit-out of Level 5 for the Department of Immigration and Cultural Affairs. |
| DA/387/2012 | Alterations and additions to a commercial building, including upgrading the regulated systems and associated plant equipment on roof. |
| DA/327/2015 | Change of use of Level 6 to an education establishment. |
| DA/667/2015 | Change of use of Level 5 for the purposes of a training centre. |

4. The Proposal

Development Application DA/226/2023 was lodged on 26 April 2023 for the internal and external alterations and additions to the existing commercial office building to facilitate the use of Levels 1-4 as City of Parramatta administration offices. The proposal includes minor demolition works and specifically the following:

Demolition – Ground Floor

- Remove balustrades and handrails and replace with compliant balustrades and handrail;
- Remove stair nosing;

- Remove pavers; and,
- Remove door and threshold.

Internal basement alterations

- Alterations to Basement Level 1 for removal of 10 car parking spaces to provide for plant and end-of-trip facilities. The end-of-trip facilities will include 43 bicycle spaces, 5 stores, an accessible shower, and male and female W/C facilities; and,
- Alterations to Basement Level 2 for removal of 7 car parking spaces to facilitate the provision of a black water tank room.

Internal office refurbishment

- Upgrades to the primary building entrance fronting Wentworth Street, comprising of installation of new handrails, tactiles and balustrades. Upgrade works include improvement to the external appearance and compliance with National Construction Code (NCC); and,
- Upgrades and new glazed balustrades to external terrace located on Level 1.

Building Plant

- Installation of new balustrades around roof's perimeter; and,
- Construction of plant screening structure consisting of 40 x 150 vertical aluminium battens to conceal the appearance of the mechanical equipment when viewed from ground level. The battens will be located centrally to the roof and are setback from the buildings parapet. The plant screening structure aligns with the height of the existing building plant.

Note: Subsequent demolition works and internal fit-out works will be completed under a separate Complying Development Certificate (CDC). The subsequent demolition and internal fit-out works do not form part of this application.

The proposed works are shown in the figures below:

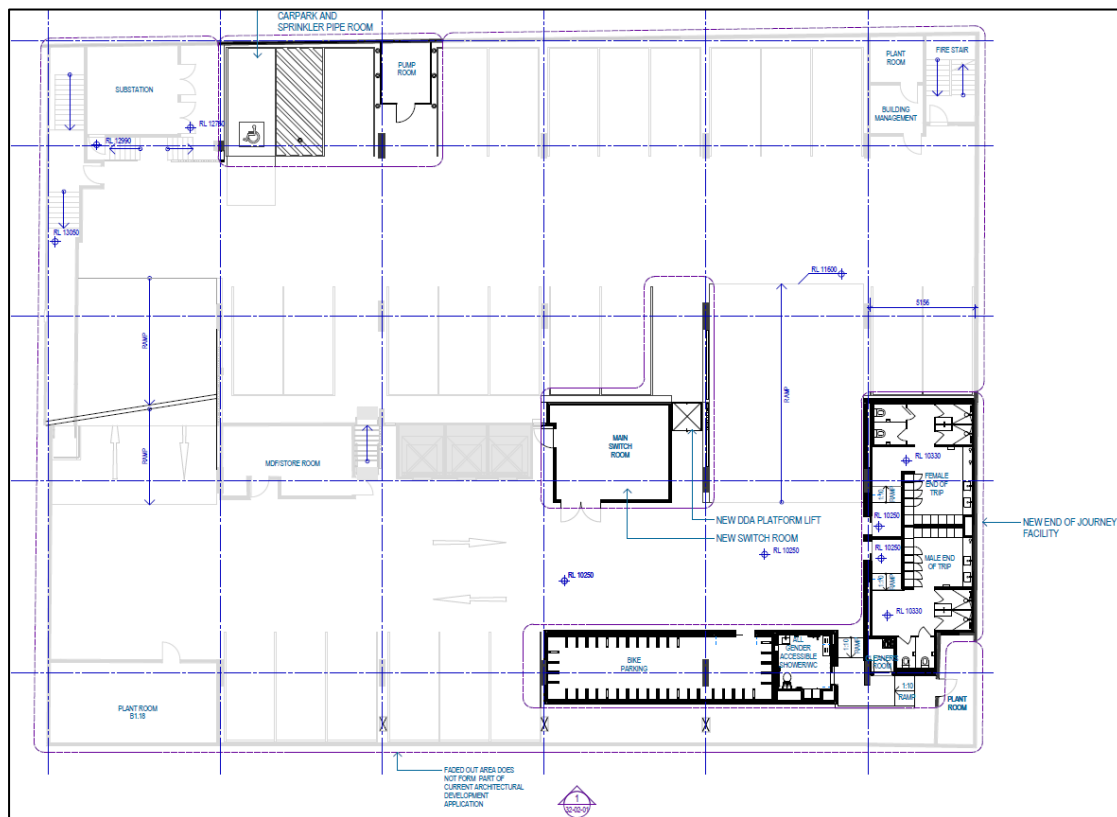


Figure 6: Basement Level 1 Plan showing accessible car parking, new switch room and end of journey facilities

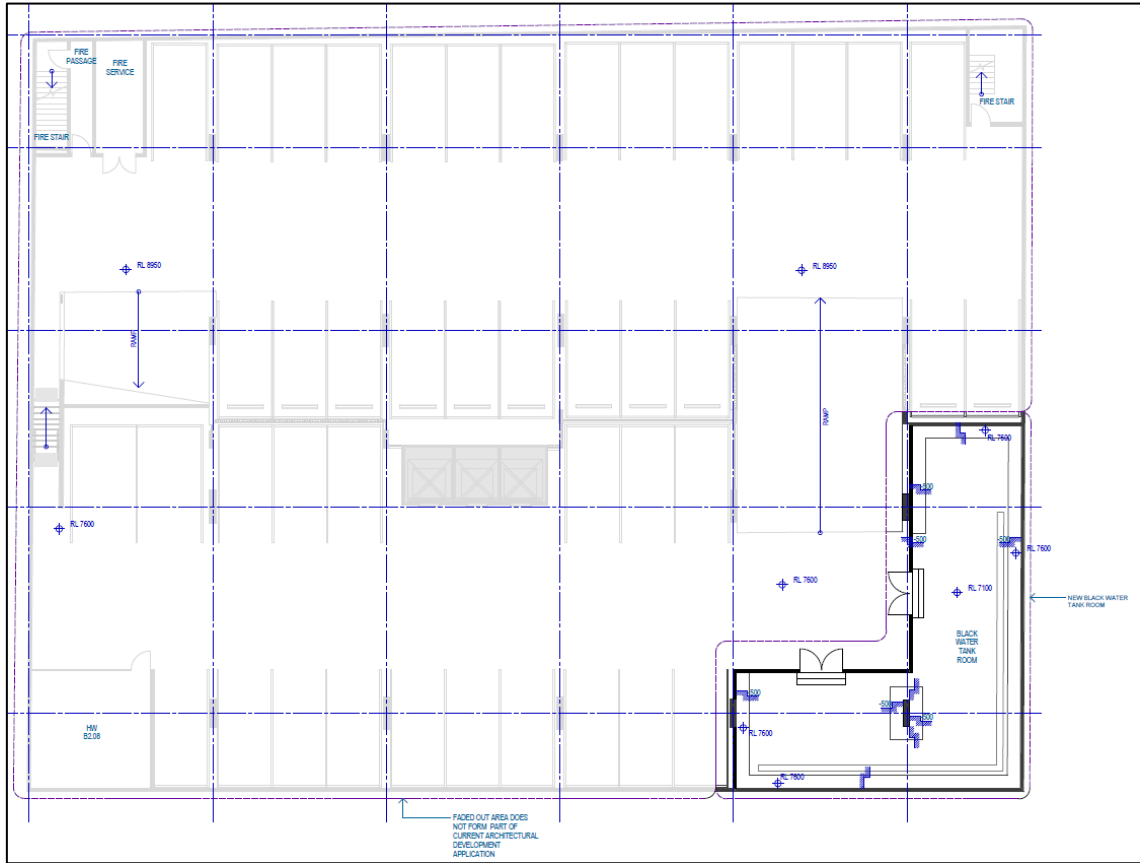


Figure 7: Basement Level 2 showing black water tank room

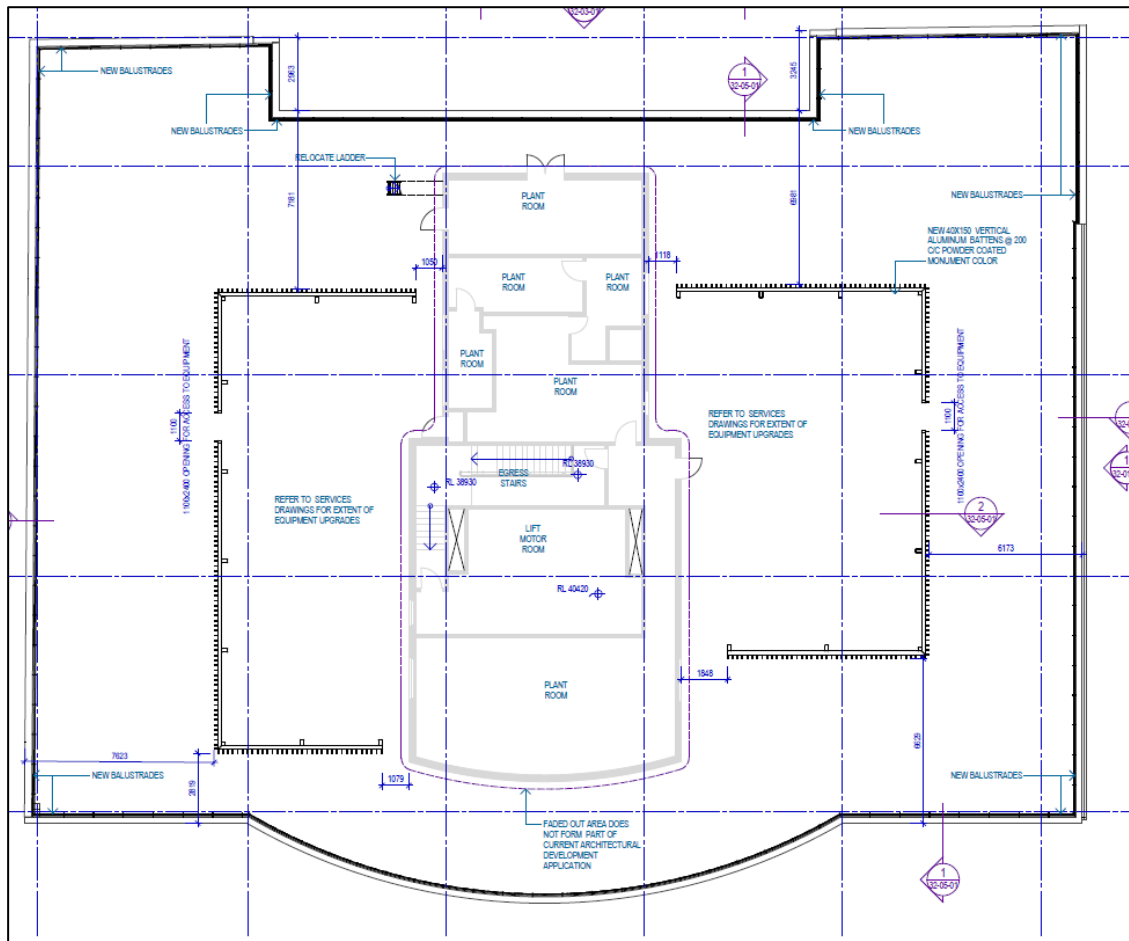


Figure 8: Roof Plan showing new balustrades around perimeter of roof and plant screening around existing mechanical plant

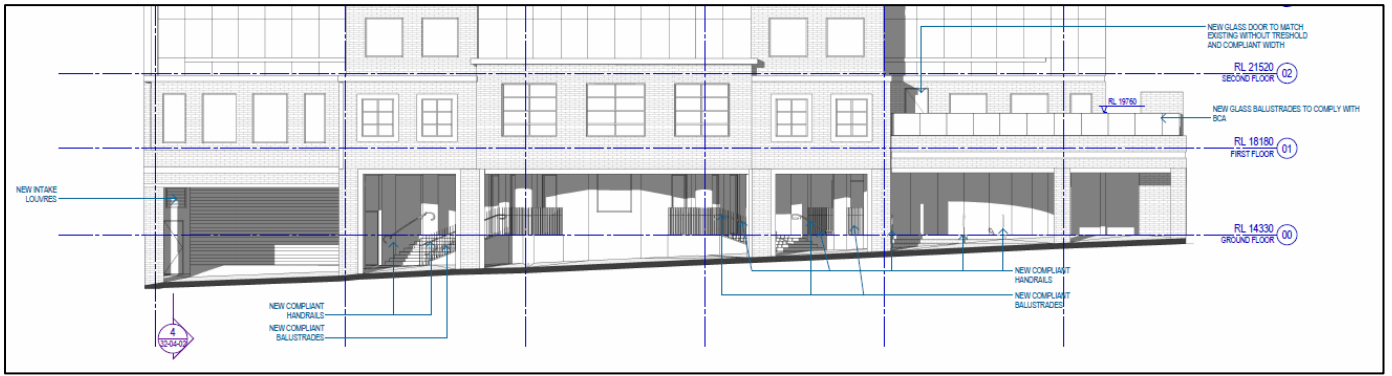


Figure 9: Eastern Elevation showing proposed works to front entrance facing Wentworth Street

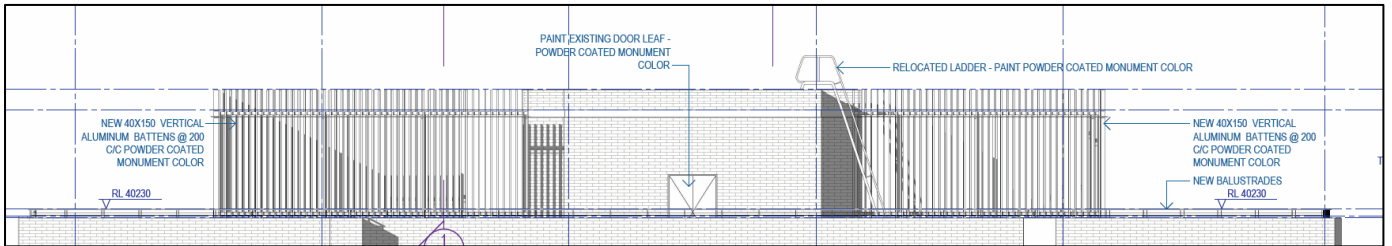


Figure 10: Western Elevation of proposed roof balustrade and mechanical plant screening

5. Relevant Application History

| Date | Comment |
|---------------|---|
| 24 April 2023 | Subject Development Application lodged to Council. |
| 5 May 2023 | In accordance with the Community Engagement Strategy, the Development Application was notified and advertised between 5 May and 2 June 2023. No submissions were received during this period. |

6. Referrals

The following section outlines the response and conditions recommended from each of the internal and external referrals in relation to the subject application.

| Referral | Comment |
|---|--|
| Traffic and Transport Investigations Engineer | <p>Supported, subject to conditions of consent.</p> <p>The Traffic Engineer has concluded that based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on the surrounding road network. The proposal can be supported on traffic and parking grounds subject to the following traffic related conditions.</p> <p><u>Before the issue of a Construction Certificate</u></p> <ul style="list-style-type: none"> <i>The PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application.</i> <i>43 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.</i> <p><u>While building work is being carried out</u></p> <ul style="list-style-type: none"> <i>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</i> |

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.

- Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal), prior to driving through local roads within the City of Parramatta LGA.

Urban Design Universal Access

Supported, subject to conditions of consent.

The Urban Design Officer has raised no objections to the proposal, subject to the following requirements, captured in the below conditions of consent:

- Ensure compliance with the MGAC Pty Ltd access report.
- Relocate the accessible parking bay to negate the reliance of a platform lift.
- Ensure low level thresholds at doors providing access to the outdoor areas.
- Ensure sanitary facilities are provided following **BCA F2**.
- Review the naming signage of the unisex facility.
- Review the gradient of the step ramps within the end of trip facilities.
- The abutments of varying surfaces are to provide level transitions.
- Ensure the continuous accessible path of travel is clearly identified at the principal entry.

A comprehensive Access Report by MGAC Pty Ltd. (D08955905) has been provided identifying several issues that will be required to be addressed at the Construction Certificate (CC) stage of the project. These additional comments are not limited to or intended to replace those mentioned within the Access Report and does not relinquish the applicant from its obligation to provide a fully compliant detailed universally accessible design.

Prior to the issue of a Construction Certificate

The following items are to be addressed by conditions of development consent.

Minor external and internal upgrades

The reliance of a platform lift to access the lift core on the basement 1 is not a satisfactory outcome. The relocation of the accessible space to the eastern wall will provide direct access to the lift and negate the need for a person with mobility impairment to use the lift.

Minor works to the doors and thresholds will provide compliant access to the level 1 terraces.

Provision off end of trip facilities

- Ensure the amenities comply with BCA and AS1428.1 including the ambulant facilities. (The ambulant facilities must be 900-920mm as per AS1428.1 Fig 52)
- The accessible sanitary facility is to not nominate by gender or as a nonbinary facility, to meet the requirements of the **BCA F2 and AS1428.1. 8.1**.
- Consideration to increase the 1:10 ramps to 1:14 (an additional 320mm) as this will provide a gentler gradient more amenable for persons accessing the facilities.
- The Abutment of differing surfaces shall have a smooth transition. *Design transition shall be 0 mm. Construction tolerances shall be as follows:*

(a) 0 ± 3 mm vertical.

(b) 0 ± 5 mm, provided the edges have a bevelled or rounded edge to reduce the likelihood of tripping. **AS1428.1.7.2**.

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| | <p>Upgrades to the primary entrance</p> <ul style="list-style-type: none"> Works to the entry stairs are proposed including the balustrading, handrails, nosings and TGSIs. The identification and direction for the accessible path of travel will need to be clearly identified and signposted to avoid confusion with the convoluted access points at the existing entry. |
| Building Surveyor | <p>Supported, subject to conditions of consent.</p> <p>The Building Surveyor has raised no objections to the proposal, subject to the following requirements, captured in the below conditions of consent:</p> <p>Partial conforming with the BCA 2019</p> <p>Pursuant to Section 64 of the Environmental Planning and Assessment Regulations 2021, the existing building must be brought into partial conformance with the Building Code of Australia in respect to the provisions of:</p> <ol style="list-style-type: none"> Fire resistance – Section C; Access and egress from the building – Section D; and, Fire safety services and equipment – Section E. <p>Reason: <i>To ensure compliance with the Building Code of Australia.</i></p> |
| Waste Officer | <p>General waste conditions to be applied.</p> |
| Environmental Health | <p>Supported, subject to conditions of consent.</p> <p><u><i>Prior to issue of the Construction Certificate</i></u></p> <p><i>Certification from an appropriately qualified consultant is to be provided indicating that the blackwater re-use system complies with the requirements of the NSW Guidelines for Recycled Water Management Systems.</i></p> <p>Reason: <i>to ensure water quality is appropriate for reuse in the building.</i></p> |

PLANNING ASSESSMENT

7. Environmental Planning Instruments

7.1 Overview

The instruments applicable to this application are:

- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- Parramatta Local Environmental Plan 2023 (PLEP 2013)
- Parramatta Development Control Plan 2011 (PDCP 2011)

Compliance with these instruments is addressed below.

7.2 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the site.

Chapter 2 – Vegetation in non-rural areas

The aims of this chapter are to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of the non-rural areas of the State through the preservation of trees and other vegetation. The proposal does not seek consent for the removal of trees and vegetation.

Chapter 6 – Water catchments

The site is located within the Sydney Harbour Catchment. Given the nature of the proposal and location of the site, the development is not considered to create adverse impacts within the Sydney Harbour Catchment. Matters of general relevance, such as erosion control, will be managed by conditions of consent. This is considered to be acceptable in this instance.

7.3 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

The State Environmental Planning Policy (Resilience and Hazards) 2021 applies to the site.

Chapter 4 – Remediation of Land

The aims of this chapter are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment. In accordance with this Chapter, Council must consider if the land is contaminated, and if it is contaminated, if the land is suitable for the proposed use. The proposal includes alterations and additions to the existing office building. Minimal earthworks to the extent of 500mm are proposed as part of this application. Given the existing use of the subject site and Council's records indicating no previous potentially contaminating use, there is no specific evidence that indicates the site is contaminated. This is considered to be acceptable in this instance.

7.4 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

Chapter 2 – Infrastructure

The State Environmental Planning Policy (Transport and Infrastructure) 2021 aims to facilitate the effective delivery of infrastructure across the State by identifying matters to be considered in the assessment of development located adjacent to infrastructure. It also makes provision for consultation requirements with relevant public authorities regarding certain developments during the assessment process.

Clause 2.98 applies to development on land that is in or adjacent to a rail corridor. The proposal does not meet any of the requirements outlined in subclause 2.98(1). Specifically, it is not located within 5m of exposed overhead power lines, does not require air space above a rail corridor and is not likely to have an impact on rail safety.

Clause 2.99 applies to development which involves the penetration of ground to a depth of at least 2m below ground level within or in proximity to a rail corridor. The proposal does not include excavation to a depth of at least 2m and is not located in proximity to a rail corridor.

Clause 2.122 relates to traffic-generating development with the provisions applying to development specified in Column 1 of Schedule 3. The proposal is not a specified use identified in Schedule 3 as the requirements for consideration include commercial premises with a GFA of 10,000sqm and road access and commercial premises with a GFA of 2,500sqm and with access to a classified road or road that connects to a classified road (if access is within 90m of connection, measures along alignment of connecting road). The proposal does not meet the relevant criteria and requires no further consideration.

Additionally, the proposed development has been referred to Council's Traffic Engineer who has raised no objections to the proposal and has concluded that based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on the surrounding road network. The proposal can be supported on traffic and parking grounds subject to conditions of consent.

7.5 STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING DEVELOPMENT CODES) 2021

The aim of this policy is to provide streamlined assessment processes for development that complies with specified development standards. The proposal specifies that other internal alterations from Level 1 to Level 4 will be completed as complying development under this policy. It is noted that the site is not a heritage item and accordingly internal upgrades associated with the building's refurbishment may be undertaken as complying development. Therefore, this development application includes external alterations and additions that cannot be completed as complying development.

The provisions of this policy will be relied upon to facilitate the change of use of the assembly hall located on Level 1 to a commercial premises. Subsequent demolition works and internal fit-out works will be completed under a separate complying development certificate (CDC). The subsequent demolition and internal fit-out works do not form part of this application.

8. Paramatta Local Environmental Plan 2023

This Development Application is made pursuant to the Paramatta LEP 2023 (PLEP 2023).

Clause 2.3 – Zone Objectives and Land Use Table

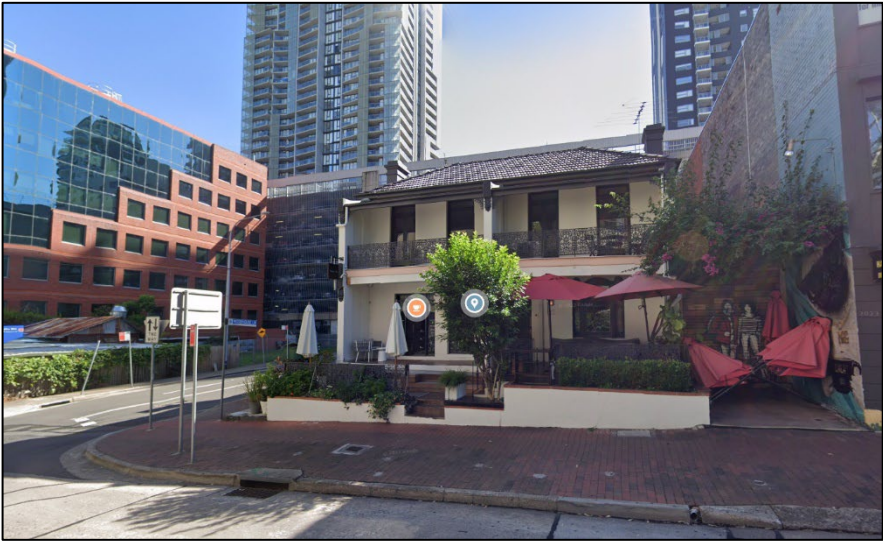
The subject site is zoned MU1 – Mixed Use. The objectives of the MU1 zone are as follows:

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*
- *To create opportunities to improve the public domain and pedestrian links.*
- *To protect and enhance the unique qualities and character of special character areas in Parramatta City Centre.*

The application proposes internal and external alterations and additions to facilitate the use of Levels 1-4 as City of Paramatta Council’s administration offices. The development is considered to be consistent with the above objectives, specifically:

- The proposal will retain the site’s existing office use;
- The proposal will ensure the continuation of accommodating a lobby area at ground level, in turn facilitating the activation of the streetscape;
- The proposal includes upgrades to the general appearance of the building, contributing to the visual amenity of the locality;
- The proposed alterations and additions to the building entrance will improve pedestrian access; and,
- The proposal is considered to be minor in nature and will not impact the existing unique qualities and character of the area.

| Standards and Provisions | Compliance |
|--|---|
| Part 4 Principal development standards | |
| 4.1 Minimum subdivision lot size | No nominated minimum subdivision lot size. No subdivision works proposed as part of application. |
| 4.3 Height of buildings | No maximum building height applies to the subject site. The site is identified as Area 2 on the Height of Buildings Map and requires consideration of Clause 7.7 Sun Access. The development provides shadows which are reflective of the existing overshadowing cast by the building and surrounding development. The development is not considered to adversely impact important landmarks or places. |
| 4.4 Floor space ratio | A floor space ratio of 6:1 applies to the site. No additional FSR proposed. Existing building complies with the maximum FSR limit of 6:1. |
| 4.6 Exceptions to development standards | The proposal does not seek to vary any of the development standards identified in the LEP. |
| 5.6 Architectural roof features | No proposed changes to existing roof form. |

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| <p>5.10 Heritage conservation</p> | <p>The site is not identified as a heritage item. However, the site is within close proximity to a heritage item identified as Item 664, located across Woodhouse Lane. The proposal is considered to be minor in nature, with the majority of the proposed works to be undertaken internally. The works proposed to be undertaken externally include upgrades to the existing terrace, primary entrance and building plant. These works are considered minor in scale and are not considered to adversely impact nearby heritage items. Heritage impacts are considered acceptable in this instance.</p>  <p>Figure 11: Heritage Item 664 located to the north of site adjacent Woodhouse Lane (<i>Google Maps 2023</i>)</p> |
| <p>5.11 Bush fire hazard reduction</p> | <p>The site is not mapped as being located on bush fire prone land.</p> |
| <p>5.21 Flood Planning</p> | <p>The site is not mapped as being located on flood prone land.</p> |
| <p>6.1 Acid Sulfate Soils</p> | <p>The subject site is mapped as containing Class 5 Acid Sulfate Soils and is located within approximately 80m of land affected by Class 4 Acid Sulfate Soils. The proposal includes excavation works to a depth of 500mm on Basement Level 2 in order to accommodate for the proposed black water tank room. The proposal does not include works within 500m of adjacent Class 1, 2, 3, or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum adjacent Class 1, 2, 3 or 4 land.</p> |
| <p>6.13 Design Excellence</p> | <p>The objective of this clause is to ensure development exhibits design excellence that contributes to the natural, cultural, visual and built character values of the City of Parramatta. This clause applies to development involving the erection of a new building or external alterations to an existing building on land identified as “Design Excellence Precinct” on the Design Excellence Map.</p> <p>The site does not exceed a height of 55m (from natural ground level) and is not identified as being located in Area A land or as a Key Site. The proposal does not require a design excellence competition. The proposal is not considered to adversely impact the natural, cultural, visual and built character values of the City of Paramatta and is considered acceptable in this instance.</p> |
| <p>6.2 Earthworks</p> | <p>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> <p>Associated earthworks are proposed which include excavation works to a depth of 500mm on Basement Level 2 to accommodate for the proposed black water tank room. The scale of the proposed works are not considered to create a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</p> |

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| 7.7 Sun access | This clause applies to land shown in purple in the Sun Access Protection Map and identifies Jubilee Park as a protected area for no additional overshadowing. The development proposes alterations and additions to the existing building, including the addition of new balustrades around the roof's perimeter and the construction of plant screening to conceal the appearance of the mechanical plant equipment. The proposed plant screening aligns with the height of the existing building plant. The application has been supported by shadow diagrams which show the existing building, with the addition of the balustrades and screening, will result in no more overshadowing than is currently cast by the building and surrounding developments. |
| 7.10 Active frontages | The proposal does not include the construction of a new building. The proposed upgrades to the ground floor eastern facade are considered to enhance the streetscape on Wentworth Street. |
| 7.17 Car Parking | As per the car parking formula, the site is required to provide for a maximum of 32 car parking spaces. The existing arrangement accommodates 84 car parking spaces. The development proposes the removal of 17 car parking spaces in order to provide for end of trip facilities. Although the existing arrangement exceeds the maximum control, the reduction in car parking spaces and provision of new end of trip facilities is considered to be acceptable in this instance. |
| 7.23 End of journey facilities | The development proposes the addition of end of trip facilities within Basement Level 1, which include showers, change rooms, lockers and bicycle storage areas. |
| 7.25 High performing building design | The development proposes minor alterations and additions, which do not impact the existing height of the building and existing GFA. The proposal is not considered to create detrimental impacts to the amenity of occupants and surrounding built form and will ensure the ongoing use of the building. |
| 7.28 Additional floor space ration for office premises | The site is not identified as being located within 'Area B' on the Special Provisions Area Map. Accordingly, this clause does not apply. |

9. Draft Environmental Planning Instruments

No Draft EPIs.

10. Parramatta Development Control Plan 2011

The Parramatta DCP 2013 (PDCP 2011) contains detailed guidelines for development for the purpose of commercial development. A consideration of the DCP provisions is provided below.

| Development Control | Comment | Comply |
|------------------------------|---|---------------|
| Part 2: Site Planning | | |
| 2.4.1 Views and Vistas | The objectives and principles of this control are to preserve the views to and from the public domain. The proposed alterations and additions are considered to be minor in nature and will not alter the existing height of the building. The proposed roof balustrades and plant screening are either lower in height or align with the existing mechanical plant. The proposed screening is considered to contribute positively to the visual amenity of the area. | Yes |
| 2.4.2.1 Flooding | The site is not mapped as being located on flood prone land. | Yes |
| 2.4.3.2 Acid Sulfate Soils | The subject site is mapped as containing Class 5 Acid Sulfate Soils and is located within approximately 80m of land affected by Class 4 Acid Sulfate Soils. The proposal includes excavation works to a depth of 500mm on Basement Level 2 in order to accommodate for the proposed black water tank room. The proposal does not include works within 500m of adjacent Class 1, 2, 3, or 4 land that is below 5m Australian Height Datum and by which the watertable is likely to be lowered below 1m Australian Height Datum adjacent Class 1, 2, 3 or 4 land. | Yes |
| 2.4.4 Land Contamination | The proposal includes alterations and additions to the existing office building. Minimal earthworks to the extent of 500mm are proposed as part of this application. Given the existing use of the subject site and Council's records indicating no previous | Yes |

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| | potentially contaminating use, there is no specific evidence that indicates the site is contaminated. | |
| 2.4.8 Public Domain | Development is to be designed to address the elements of the public domain, including the building interface between the private and public domain. The proposed alterations to the building's primary entrance fronting Wentworth Street are considered to enhance the streetscape interface and improve pedestrian connectivity between the public domain and the site. | Yes |
| Part 3: Development Principles | | |
| 3.2.1 Building Form and Massing | <p>The proposed alterations and additions are considered to be minor in nature and will ensure the building remains compatible in form relative to the spatial characteristics of the local area.</p> <p>The external works within the roof are limited to the inclusion of the balustrade along the perimeter of the roof and the inclusion of a screening structure around the perimeter of the existing mechanical plant. The proposed screening structure is considered to be an improvement to the general appearance of the building and is not considered to result in excess massing or bulk when viewed from the public domain, presenting a building proportion which is reflective of building patterns in the street.</p> | Yes |
| 3.2.2 Building Facades and Articulation | The exterior building works are limited to the roof balustrades and screening structure, which are compatible with the design elements of the existing building. The proposed upgrades to the entrance of the building is considered to enhance the building's appearance and complement the streetscape character. | Yes |
| 3.3.4 Acoustic Amenity | The subject site is located within the Paramatta City Centre in a MU1 – Mixed Use zone. No residential dwellings are located in the immediate vicinity of the site, and with the proposed minor nature of works, the proposal is not considered to give rise to acoustic impacts. | Yes |
| 3.3.7 Waste Management | <p>The application was supported by a Waste Management Plan Prepared By: EcCell environmental Management Pty Ltd, Reference: 9WW_OWMP, Revision: V1, Dated: 6/04/2023.</p> <p>General waste management conditions to be applied.</p> | Yes |
| 3.4.2 Access for People with Disabilities | <p>The application was supported by an Access Report Prepared By: MGAC, Dated: 31.03.23. The report concludes that the development is capable of complying with the applicable accessibility requirements.</p> <p>The application was referred to Council's Urban Design Officer who has raised no objections to the proposal, subject to conditions of consent.</p> | Yes |
| 3.5 Heritage | The site is not identified as a heritage item. However, the site is within close proximity to a heritage item identified as Item 664, located across Woodhouse Lane. The proposal is considered to be minor in nature, with the majority of the proposed works to be undertaken internally. The works proposed to be undertaken externally include upgrades to the existing terrace, primary entrance and building plant. These works are considered minor in scale and are not considered to adversely impact nearby heritage items | Yes |
| Part 6: Parramatta City Centre | | |
| 6.3.3.1 Street Setbacks | The development seeks consent for alterations and additions. No proposed changes to existing street setbacks. | Yes |
| 6.3.3.2 Building Separation | No proposed changes to existing. | Yes |
| 6.3.3.3 Tower Slenderness | The proposal is to retain the size of the existing building. No proposed changes. | Yes |
| 6.3.3.4 Floor Heights | No proposed changes to existing. | Yes |
| 6.3.4 The Street Wall | No proposed changes to existing. | Yes |
| 6.3.5.1.1 Active Ground Floor Frontage | The proposed upgrades to the building's entrance/lobby area is considered to be an improvement to the building interface with the public domain. | Yes |

| | | |
|---|--|-----|
| 6.3.5.4 Services and Utilities | No proposed changes to existing services and utilities. The subject site is not located on flood prone land and will not be impacted by potential flood impacts. | Yes |
| 6.4.1 Solar Access to Significant Parks and Spaces | The proposal does not seek to amend the existing building height. The application has been supported by shadow diagrams which show the existing building, with the addition of the balustrades and plant screening on the roof, is reflective of the existing overshadowing cast by the building and surrounding developments. The proposal does not provide for additional overshadowing to Jubilee Park. | Yes |
| 6.4.7 Views | The proposal does not seek to amend the existing building height and is not located in a corridor of any protected views nominated by Figure 6.4.7.1. | Yes |
| 6.5 Special Areas | The site is not identified as forming part of a Special Area. | Yes |
| 6.6 Heritage | The site is not identified as a heritage item. However, the site is within close proximity to a heritage item identified as Item 664, located across Woodhouse Lane. The proposal is considered to be minor in nature, with the majority of the proposed works to be undertaken internally. The works proposed to be undertaken externally include upgrades to the existing terrace, primary entrance and building plant. These works are considered minor in scale and are not considered to adversely impact nearby heritage items | Yes |
| 6.7 Flood Risk Management | The site is not mapped as being located on flood prone land. | Yes |
| 6.9.1 Vehicle Driveways and Maneuvering | No proposed changes to existing driveway and manoeuvrability. | Yes |
| 6.9.2 On Site Car Parking | The existing basement is located within the site boundaries and does not encroach on the public domain. The application has been referred to Council's Traffic Engineer who has raised no objections to the proposal, subject to conditions of consent. | Yes |
| 6.9.3.2 End of Journey Facilities | The development proposes the addition of end of trip facilities within Basement Level 1, which include showers, change rooms, lockers and bicycle storage areas. | Yes |

11. Development Contributions

The Paramatta City Centre Contributions Plan 2022 is applicable to the site. Section 1.3 of the Plan excludes development undertaken by or on behalf of Council. Therefore, contributions are not payable.

12. Bonds

In accordance with Council's 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. A standard condition of consent has been imposed requiring the Security Bond to be paid prior to the issue of a Construction Certificate.

13. EP&A Regulation 2021

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection have been addressed by appropriate consent conditions, refer to Appendix 1.

14. The likely impacts of the development

The proposal does not involve the removal of trees or vegetation and is not considered to have an adverse impact on the natural environment.

The proposal includes alterations and additions to the existing office building which are considered to be minor in nature. The proposal is permissible in the MU1 – Mixed Use zone and is not considered to create adverse impacts to the built environment.

The proposal is not considered to create detrimental social and economic impacts on the locality. The proposal includes upgrades to the existing office building which are considered to provide for greater amenity to existing and future users.

15. Suitability of the Site

The subject site is zoned MU1 – Mixed Use, with the proposal being a permissible form of development with consent.

Appropriate documentation has been provided to demonstrate that the site can be made suitable for the proposed development and that the development is consistent with the land use planning frameworks for the locality.

No natural hazards or site constraints exist that are likely to have an unacceptable impact on the proposed development.

Subject to the conditions provided within the recommendation to this report, the site is considered to be suitable for the proposed development.

16. Public Consultation

In accordance with the notification procedure as outlined in the Community Engagement Strategy (2022-3024), the development application was notified between 5 May to 2 June 2023. No submissions have been received during this period.

17. Public interest

Subject to implementation of conditions of consent outlined in the recommendation below, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

18. Conclusion

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls.

The proposed development is appropriately located and is considered acceptable given the nature of the site and surrounding development. Having regard to the assessment of the application, the proposal is considered to be appropriately designed and is a suitable form of development for the locality. The proposal is not considered to create adverse impacts to the existing site and surrounding land uses.

For these reasons, it is considered that the proposal is satisfactory having regard to the matters of consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979 and is recommended for approval subject to conditions.

21. Recommendation

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979:

- A. **That** the Parramatta Local Planning Panel, exercising the function of the consent authority, **approve** Development Application DA/226/2023 seeking consent for the internal and external alterations and additions to the existing office building to facilitate the use of Levels 1-4 as City of Parramatta administration offices at Lot 422, DP 746665, No. 7 Wentworth Street, Parramatta for the following reasons:
- a. The development is permissible pursuant to Parramatta Local Environmental Plan 2023.
 - b. The development is consistent with the objectives of the MU1 – Mixed Use zone.
 - c. The development is compatible with the existing development on the subject site and will not significantly alter the existing built form, or the surrounding locality.
 - d. For the reasons given above, approval of the application is in the public interest.

7 WENTWORTH STREET, PARRAMATTA

SCHEDULE 1 CONDITIONS OF DEVELOPMENT CONSENT

PART A: GENERAL CONDITIONS

1. Development in Accordance with Plans and Documents

The development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require others:

| Stamped Plans/Documents | Prepared By: | Reference | Sheet | Revision | Dated |
|---|---------------------|------------------|--------------|-----------------|--------------|
| Overall Arrangement Location Plan | Woods Bagot | 121622 | A-10-00-00 | 2 | 17/03/23 |
| General Arrangement Existing Conditions and Demolition Plan – Ground Floor – DA | Woods Bagot | 121622 | A-20-00-00-1 | 2 | 17/03/23 |
| General Arrangement Existing Conditions and Demolition Plan – Level 1 – DA | Woods Bagot | 121622 | A-20-01-01 | 2 | 17/03/23 |
| General Arrangement Existing Conditions and Demolition Plan – Roof – DA | Woods Bagot | 121622 | A-20-07-01 | 2 | 17/03/23 |
| General Arrangement Existing Conditions and Demolition Plan – Upper Roof – DA | Woods Bagot | 121622 | A-20-08-01 | 2 | 17/03/23 |
| General Arrangement Existing Conditions and Demolition Plan – Basement 1 – DA | Woods Bagot | 121622 | A-20-B1-03 | 2-4 | 12/04/23 |
| General Arrangement Existing Conditions and Demolition Plan – Basement 2 – DA | Woods Bagot | 121622 | A-20-B2-03 | 2 | 12/04/23 |
| General Arrangement Ground Floor Plan - DA | Woods Bagot | 121622 | A-22-00-01 | 2 | 17/03/23 |
| General Arrangement Level 1 - DA | Woods Bagot | 121622 | A-22-01-01 | 4 | 12/04/23 |
| General Arrangement – Roof Plan | Woods Bagot | 121622 | A-22-07-01 | 2 | 17/03/23 |
| General Arrangement – Upper Roof Plan - DA | Woods Bagot | 121622 | A-22-08-01 | 2 | 17/03/23 |
| General Arrangement – Basement 1 Plan - DA | Woods Bagot | 121622 | A-22-B1-01 | 4 | 12/04/23 |
| General Arrangement – Basement 2 Plan - DA | Woods Bagot | 121622 | A-22-B2-01 | 2 | 12/04/23 |
| General Arrangement | Woods Bagot | 121622 | A-32-01-00 | 2 | 17/03/23 |

| | | | | | |
|--|-------------|--------|------------|---|----------|
| Existing Conditions and Demolition – North Elevation - DA | | | | | |
| General Arrangement North Elevation - DA | Woods Bagot | 121622 | A-32-01-01 | 2 | 17/03/23 |
| General Arrangement Existing Conditions and Demolition – East Elevation - DA | Woods Bagot | 121622 | A-32-02-00 | 2 | 17/03/23 |
| General Arrangement East Elevation – DA | Woods Bagot | 121622 | A-32-02-01 | 2 | 17/03/23 |
| General Arrangement Existing Conditions and Demolition – West Elevation - DA | Woods Bagot | 121622 | A-32-03-00 | 2 | 17/03/23 |
| General Arrangement West Elevation - DA | Woods Bagot | 121622 | A-32-03-01 | 2 | 17/03/23 |
| General Arrangement Sections A&B - DA | Woods Bagot | 121622 | A-32-04-01 | 2 | 17/03/23 |
| General Arrangement Sections C&D - DA | Woods Bagot | 121622 | A-32-04-02 | 2 | 17/03/23 |
| Detail Arrangement Typical Details - DA | Woods Bagot | 121622 | A-32-05-01 | 2 | 17/03/23 |
| Statement of Environmental Effects Prepared By: Urbis, Project Reference: P0043021, Dated: 14 April 2023. | | | | | |
| Access Report Prepared By: MGAC, Version: Final, Dated: 31March 2023. | | | | | |
| BCA Design Compliance Report Prepared By: MBC Group, Revision: 1, Dated: 09-Mar-23. | | | | | |
| Operational Waste Management Plan Prepared By: ExCell Environmental Management, Version: 1, Dated:6/04/2023. | | | | | |

Note: *An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a conditions when it is not possible to comply with both at the relevant time.*

Reason: *To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.*

2. Construction Certificate

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

Reason: *To ensure compliance with legislative requirements.*

3. No encroachment on Council and/or adjoining property

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.*

4. Demolition Works

Approval is granted for the demolition of partial elements of the building as detailed in the

approved plans, subject to compliance with the following:

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

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

- b. The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- c. 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to 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 469 of the Work Health and Safety Regulation 2017.
- 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. Prior to the commencement of any demolition works, and where the site ceases to be occupied during works, the property owner must notify Council to discontinue the domestic waste service and to collect any garbage and recycling bins from any dwelling/ building that is to be demolished. Waste service charges will continue to be charged where this is not done. Construction and/ or demolition workers are not permitted to use Council's domestic waste service for the disposal of any waste.
- i. 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".
- j. Demolition is to be completed within 5 days of commencement.

- k. 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.
- l. 1.8m high Protective fencing is to be installed to prevent public access to the site.
- m. A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
 - i. Proposed ingress and egress of vehicles to and from the construction site;
 - ii. Proposed protection of pedestrians adjacent to the site;
 - iii. Proposed pedestrian management whilst vehicles are entering and leaving the site.
- n. All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environment Protection Authority (EPA).
- o. Before demolition works begin, adequate toilet facilities are to be provided.
- p. 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.
- q. 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.*

5. No encroachment on Council and/or adjoining property

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.*

6. Provide waste storage room on premises

A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) including:

- a. The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types and bulky materials;
- b. The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls.
- c. The walls being cement rendered to a smooth, even surface and coved at all intersections;
- d. Cold water being provided in the room with the outlet located 1.5m above floor level to avoid damage and a hose fitted with a nozzle being connected to the outlet;
- e. The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Reason: *To ensure provision of adequate waste storage arrangements*

7. Long Service Levy payment where construction cost exceeds \$250,000

Before the issue of a Construction Certificate, the applicant is to ensure that the person liable pays the Long Service Levy of 0.25% of the value of building and construction work where the cost of building is \$250,000 or more (inclusive of GST) or as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the Certifier.

Note: *The Long Service Levy is to be paid directly to the **Long Service Corporation** at www.longservice.nsw.gov.au. For more information, please contact the Levy support team on 13 14 41.*

Reason: *To ensure that the Long Service Levy is paid.*

PART B: CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

8. Detailed Waste Management Plans

Prior to the issue of a construction certificate plans shall be submitted to the satisfaction of the Principal Certifying Authority detailing how waste is to be stored and collected from the site, ensuring all waste storage areas/rooms and collection routes comply with the City of Parramatta Waste Management Guidelines for New Developments. If Council is not the principal certifying authority a copy of these plans are to be provided to Council.

Reason: *To ensure adequate design for the ongoing storage and collection of wastes from the development.*

9. Management of construction and/or demolition waste

Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to reuse or being sent offsite. This includes waste materials such as paper and containers which must not litter the site or leave the site onto neighbouring public or private property. Receipts of all waste/recycling tipping must be retained and produced in a legible form to any authorised officer of the Council who asks to see them.

Reason: *To ensure adequate design for the ongoing storage and collection of wastes from the development.*

10. Compliance with Access Report

The proposed development is required to ensure compliance with the approved Access Report Prepared By: MGAC, Dated: 31 March 2023.

11. Amended Plans – Accessibility

Prior to the issue of a Construction Certificate, the applicant is required to submit revised plans and necessary documentation showing following changes and compliance to the satisfaction of the PCA:

- a. Amended plans showing the relocation of the accessible space to the eastern wall, providing direct access to the lift and negating the need for a person with mobility impairment to use the lift, is required to be provided.
- b. Evidence that proposed doors and thresholds provide compliant access to Level 1

- terraces.
- c. Ensure the amenities comply with BCA and AS1428.1 including the ambulant facilities. (Ambulant facilities must be 900-920mm as per AS1428.1 Fig 52)
 - d. The sanitary facility is required to be nominated simply as an accessible facility, rather than "all gender".
 - e. Increase of the 1:10 ramps to 1:14 (an additional 320mm) to provide a gentler gradient for persons accessing the facilities.
 - f. The Abutment of differing surfaces shall have a smooth transition. *Design transition shall be 0 mm. Construction tolerances shall be as follows:*
 - i. *0 ±3 mm vertical.*
 - ii. *0 ±5 mm, provided the edges have a bevelled or rounded edge to reduce the likelihood of tripping. AS1428.1.7.2.*
 - g. Works to the entry are proposed, including the balustrading, handrails, nosings and TGSIs. The identification and direction for the accessible path of travel will need to be clearly identified and signposted to avoid confusion with the convoluted access points at the existing entry.

Reason: *To ensure compliance with accessibility requirements.*

12. Partial conforming with the BCA 2019

Pursuant to Section 64 of the Environmental Planning and Assessment Regulations 2021, the existing building must be brought into partial conformance with the Building Code of Australia with respect to the provisions of:

- a. Fire resistance – Section C
- b. Access and egress from the building – Section D
- c. Fire safety services and equipment – Section E

Reason: *To ensure compliance with the Building Code of Australia.*

13. Traffic Requirements

Prior to the issue of any Construction Certificate, the following traffic requirements are required to be addressed:

- a. The PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application.
- b. 43 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.

Reason: *To ensure appropriate vehicular manoeuvring is provided and to comply with Councils parking requirements.*

14. Blackwater re-use system

Certification from an appropriately qualified consultant is to be provided indicating that the blackwater re-use system complies with the requirements of the NSW Guidelines for Recycled Water Management Systems.

Reason: *To ensure water quality is appropriate for reuse in the building.*

PART C: CONDITIONS TO BE SATISFIED PRIOR TO THE COMMENCEMENT OF WORK

15. Toilet facilities on site

Prior to the commencement of work, adequate toilet facilities are to be provided on the work site.

Reason: *To ensure adequate toilet facilities are provided.*

16. Appointment of PCA

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

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

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

Reason: *To comply with legislative requirements.*

17. Enclosure of the site

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

Reason: *To ensure public safety.*

18. Site sign

A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 70 of the Environmental Planning and Assessment Regulations 2021 detailing:

- a. Unauthorised entry of the work site is prohibited;
- b. The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- c. The name, address and telephone number of the Principal Certifying Authority;
- d. The development consent approved construction hours;
- e. The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
- f. This condition does not apply where works are being carried out inside an existing building.

Reason: *Statutory requirement.*

19. Public liability insurance

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.*

PART D: CONDITIONS TO BE SATISFIED WHILE BUILDING WORK IS BEING CARRIED OUT

20. Copy of development consent

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.*

21. Traffic Requirements

During the works being carried out, the following traffic requirements are to be satisfied:

- a. 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.
- b. Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal), prior to driving through local roads within the City of Parramatta LGA.

Reason: *To ensure proper management of Councils assets.*

22. Dust Control

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 Section 126 of the Protection of the Environment Operations Act 1997.

Reason: *To protect the amenity of the area.*

23. Materials on footpath

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.*

24. Hours of work and noise

The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- 7am to 5pm on Monday to Friday
- 8am to 5pm on Saturday

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

Council may permit an extension to the approved hours of work in extenuating or unforeseen circumstances subject to an application and approval by City of Parramatta Council (CoPC) in accordance with the 'After Hours Works for Approved Development Applications Policy' (Policy).

A copy of this Policy and associated application form is available on the CoPC website. A fee will apply to any application made in accordance with this Policy.

The matters of consideration of any extension sought would include, but not be limited to the following aspects and should be detailed in any application made:

- Nature of work to be conducted;
- Reason for after-hours completion;
- Residual effect of work (noise, traffic, parking);
- Demographic of area (residential, industrial);
- Compliance history of subject premises;
- Current hours of operation;
- Mitigating or extenuating circumstance; and
- Impact of works not being completed.

Reason: *To protect the amenity of the surrounding area.*

25. Complaints register

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 complaint; and
- f. If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register must be made available to Council and/or the Principal Certifying Authority upon request.

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

26. Construction Noise

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:

While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.

Reason: *To protect the amenity of the surrounding area.*

27. Survey Report

While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier:

- a. All footings/foundations
- b. At other stages of construction – any marks that are required by the principal certifier

Reason: *To ensure buildings are sited and positioned in the approved location.*

28. Building Work Compliance BCA

All building works 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 2021.*

29. Road Occupancy Permit

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.*

30. Oversize vehicles using local roads

Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal) prior to driving through local roads within the City of Parramatta LGA.

Reason: *To ensure maintenance of Council assets.*

31. Oversize vehicles using local roads

In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal 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 Construction 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 statutory requirements.*

PART E: CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

32. Occupation Certificate

Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

Reason: To comply legislative requirements of the Environmental Planning and Assessment Act 1979.

33. Record of inspections carried out

In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal 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 Construction 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 statutory requirements.

PART F: CONDITIONS TO BE SATISFIED DURING OCCUPATION AND ONGOING USE

34. External plant/air-conditioning noise levels

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.*

35. Goods not to be displayed outside premises

No goods are to be stored/displayed outside the walls of the building.

Reason: *To ensure visual amenity.*

36. Graffiti Management

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.*

37. Management of waste storage facilities

All waste storage areas are to be maintained in a clean and tidy conditions at all times.

Reason: *To ensure the ongoing management of waste storage areas.*

38. Shopfront appearance

Roller shutters are not to be placed over any external door or window of the premises. Any security grill is to be located on the inside of the glass shop front and must be an open grille able to be seen through.

Reason: *To provide an appropriate streetscape appearance.*