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| City of Parramatta | |
| File No: | DA/462/2023 |

SECTION 4.15 ASSESSMENT REPORT
Environmental Planning & Assessment Act 1979

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| DA No: | DA/462/2023 |
| Subject Property: | Lot R DP 36696, 42A and 42B Yates Avenue, DUNDAS VALLEY NSW 2117 |
| Proposal: | Demolition of existing fire damaged scout hall |
| Date of receipt: | 7 August 2023 |
| Applicant: | City of Parramatta Council |
| Owner: | City of Parramatta Council |
| Property owned by a Council employee or Councillor: | The site is owned by City of Parramatta Council |
| Political donations/gifts disclosed: | None disclosed on the application form |
| Submissions received: | None |
| Recommendation: | Approval |
| Assessment Officer: | Charise Chumroonridhi (External Consultant) Planning Ingenuity |

Legislative Requirements

| | |
|--|---|
| 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 (SEPP) (Resilience and Hazards) 2021• SEPP (Biodiversity and Conservation) 2021• Parramatta Local Environmental Plan (LEP) 2023• Parramatta Development Control Plan (DCP) 2011. |
| Zoning | Part Zone RE1 – Public Recreation zone and part Zone W1 – Natural Waterways |
| 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) due to the subject site being owned by Council. |

1. Executive Summary

Development Application DA/462/2023 was lodged to Council on 7 August 2023 for the demolition of the existing fire damaged scout hall. The scout hall experienced fire damage in December 2022.

An Asbestos Materials Survey prepared by Trinitas Group (dated 31 August 2023) was submitted with the application. The survey identified the fire damaged building contains high risk asbestos.

The application along with the DSI submitted by the applicant was reviewed by Council's Environmental Health Team Leader who determined that satisfactory evidence has been provided that the site can be made suitable for the proposed development subject to conditions of consent.

In accordance with the Parramatta Notification Plan, the Development Application was not required to be notified or advertised.

Section 4.15 Assessment Summary

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. Consideration of technical matters by Council's Natural Areas and Environmental Health departments has not identified any fundamental issues of concern.

The proposal demonstrates compliance with the statutory requirements and relevant development controls.

Adherence to the conditions imposed by Councils Environmental Health Officers is required, and upon demolition of the structure by a suitably qualified contractor, further investigation into the potential contamination of the soil is required for further development on the subject site.

Having regard to the matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, it is recommended Development Application No. DA/462/2023 be approved.

2. Site Description and Conditions

The subject site is described as Lot R DP 36696 and commonly known as 42A and 42B Yates Avenue Dundas Valley. The site is an irregular shaped allotment which is bound by Yates Avenue, Fullford Street and Quarry Road. The site of the proposed works is within Zone RE1 Public Recreation with part of the site where The Ponds Creek is located being within Zone W1 – Natural Waterways.

The subject site is a large parcel of land known as Dundas Park and is used for recreational purposes. The site contains playing fields, parks, basketball courts, playground, a scout hall and amenities buildings. The scout hall is located on the corner of Yates Avenue and Fullford Street. The hall has been damaged by a fire and is no longer in operation. The Ponds Creek runs along the south of the lot and as a result the site is identified as being flood prone. The site is also mapped on the Biodiversity Values Map.

Surrounding properties are predominantly within Zone R2 Low Density Residential and the locality is an established residential area characterised by single and two storey residential dwellings. The exception includes No. 28 Yates Avenue which adjoins the subject site to the north east and is within Zone E1 Local Centre. No.28 Yates Avenue contains cafés, a convenience store, a hairdresser within a three storey mixed use building with residential apartments above. Adjoining the site to the north west is a sports club at No. 33 Quarry Road that is within Zone RE2 Private Recreation

A site inspection was undertaken in September 2023. See photographs and maps below:



Figure 1. Aerial photo of subject site (outlined in red) and location of subject scout hall indicated by yellow arrow (Source: NearMaps aerial photo September 2023)



Figure 2. Locality and zone map (Source: NSW Planning Portal)



Figure 3. Front elevation of scout hall viewed from Fullford Street



Figure 4. Scout hall viewed from corner of Fullford Street and Yates Avenue.



Figure 4. Front elevation of scout hall viewed from Fullford Street.



Figure 5. Rear elevation of scout hall.



Figure 6. Internal view of scout hall.

3. Relevant Site History

A search of Council records indicates that there are no relevant approvals relating to the site.

Note: The subject scout hall was damaged by a fire in December 2022.

4. The Proposal

The proposed development includes the following:

- Demolition of existing fire damaged one storey scout hall including the porch and landing structures.

The scout hall is one storey with the dimensions 26.6m x 12.2m and an area of 324.52sqm.

The existing bitumen access paths are to be retained and the site is to be left in a clean and safe state with removal of footings, foundations and redundant services.

No trees will be removed. There are two trees in close proximity to the scout hall which includes one Sydney Blue Gum tree and one Ironbark. Both these trees are to be protected and retained.

The proposed works are wholly within Zone RE1 Public Recreation and not within Zone W1 – Natural Waterways.

The site plan for the proposed works is shown in Figure 7 below.

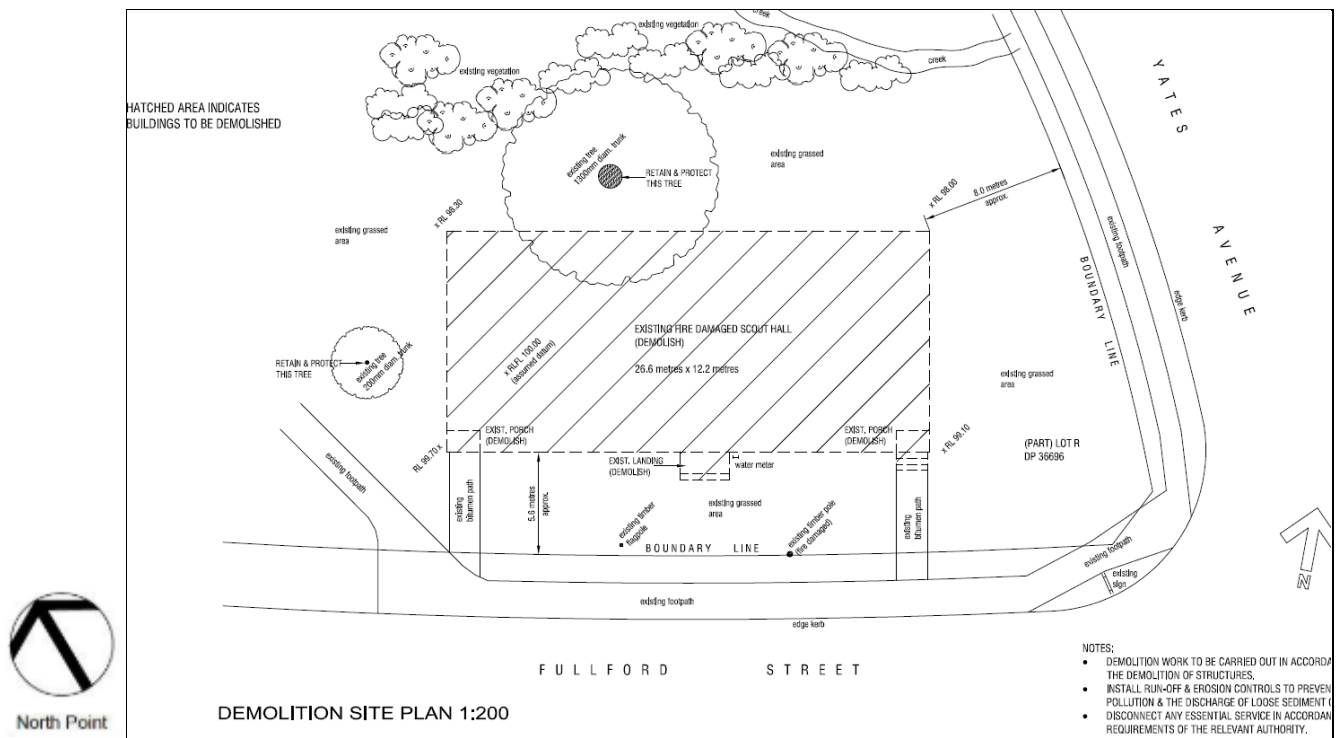


Figure 7. Proposed demolition site plan

5. Relevant Application History

| Date | Comment |
|-------------------|---|
| 7 August 2023 | Subject Application lodged to Council. |
| 12 September 2023 | An Asbestos Materials Survey was submitted to Council. The survey identified a number of high risk asbestos items located on site. |
| 16 October 2023 | A Request for Information was sent to the applicant requiring a Detailed Site Investigation (DSI) to be prepared by a suitability qualified person. |
| 13 December 2023 | A DSI was submitted to Council. |

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 |
|----------------------|--|
| Environmental Health | Supported, subject to conditions of consent. |
| Parks and Open Space | Supported, subject to conditions of consent. |

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
- Parramatta Local Environmental Plan 2023 (PLEP 2023)
- Parramatta Development Control Plan 2011 (PDCP 2011)

Compliance with these instruments is addressed below.

7.2 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 2 VEGETATION IN NON-RURAL AREAS

The State Environmental Planning Policy (Biodiversity and Conservation) 2021 applies to the site. The aims of the plan 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 subject site is partly mapped on the Biodiversity Values Map. Council's GIS mapping also indicates the presence of Sydney Turpentine Ironbark Forest (a CEEC under the BC Act 2016) adjoining the subject site.

The proposed demolition works do not propose the removal of trees and the building proposed to be demolished is outside the mapped area on the Biodiversity Values Map.

Council's Biodiversity Planning Officer reviewed the proposal and concluded:

The proposed development will not be likely to significantly impact threatened species, ecological communities or their habitats, not trigger the BOS, and no ecological constraints apply that warrant further investigation. I have provided Natural Resources conditions to protect the adjoining vegetation/reserve, including the large E. Saligna tree adjacent to the hall.

No trees or significant vegetation will be cleared or otherwise impacted by the demolition. As such, the provisions of this chapter as it applies to vegetation removal is not applicable.

7.3 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 10 SYDNEY HARBOUR CATCHMENT

The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SEPP. The aims of the Plan are to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

Given the nature of the project and the location of the site, there are no specific controls that directly apply to this proposal, and any matters of general relevance (erosion control, etc) are able to be managed by conditions of consent.

7.4 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 4 REMEDIATION OF LAND

The requirements of State Environmental Planning Policy (Resilience and Hazards) 2021 apply to the subject site. In accordance with Chapter 4 of the SEPP, Council must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

An Asbestos Materials Survey (ASM) prepared by Trinitas Group (dated 31 August 2023) was submitted with the application. The survey identified that the fire damaged building contained asbestos. In addition to this, a Detailed Site Investigation prepared by Trinitas Group (dated 12 December 2023) was also submitted.

The submitted DSI concludes that:

- *The soil analytical results for Heavy Metals, BTEXN, OCPs, OPPs, PAHs and PCBs were below the adopted public open space criteria with the exception of asbestos.*
- *Asbestos was reported within the soil and the fire damaged property.*
- *Groundwater assessment was not undertaken as part of this assessment. No chemical concentrations have been reported above the land use criteria, no contamination will leach to the groundwater.*
- *Client to notify Safework NSW prior to the excavation of soil materials.*

Based on the concluding statements, Trinitas consider the site is not suitable for the ongoing use as public open space land use setting and remediation of asbestos contaminated soil is deemed necessary.

The application along with the AMS and DSI was reviewed by Council's Environmental Health team who determined that satisfactory evidence has been provided that the site can be made suitable for the proposed development subject to

conditions of consent.

The proposal does not involve any intrusive ground works which may necessitate consideration of potential contamination. The works will be isolated with a hoarding and soil erosion and sediment controls prior to and during demolition works to protect the surrounding environment. All waste materials will be disposed of at a licensed facility.

Should the site be redeveloped in the future with ground works proposed, a further consideration and investigation into contamination of the site may be required. However, given that demolition works are only proposed, no further investigation is required. It is therefore considered that Council can be satisfied in accordance with the requirements of the Resilience and Hazards SEPP that the land is suitable for the proposed demolition works.

Standard and special conditions relating asbestos, site audit statement, site investigation and contamination have been recommended.

8. Parramatta Local Environmental Plan 2023

The relevant matters considered under the PLEP 2023 for the proposed development are outlined below:

Clause 1.2 Aims of Plan

- (aa) to protect and promote the use and development of land for arts and cultural activity, including music and other performance arts,*
- (a) to encourage a range of development, including housing, employment and recreation, that accommodates the needs of the existing and future residents, workers and visitors of Parramatta,*
- (b) to foster environmental, economic, social and physical wellbeing so that Parramatta develops as an integrated, balanced and sustainable city,*
- (c) to identify, conserve and promote Parramatta's natural and cultural heritage as the framework for its identity, prosperity, liveability and social development,*
- (d) to improve public access to the city and facilitate the maximum use of improved public transport, together with walking and cycling,*
- (e) to minimise risk to the community in areas subject to environmental hazards, particularly flooding and bushfire, by restricting development in sensitive areas,*
- (f) to protect and enhance the natural environment, including areas of remnant bushland in Parramatta, by incorporating principles of ecologically sustainable development into land use controls,*
- (g) to improve public access along waterways where natural values will not be diminished,*
- (h) to enhance the amenity and characteristics of established residential areas,*
- (i) to retain the predominant role of Parramatta's industrial areas,*
- (j) to ensure that development does not detract from the economic viability of Parramatta's commercial centres,*
- (k) to ensure that development does not detract from the operation of local or regional road systems,*
- (l) to ensure development occurs in a manner that protects, conserves and enhances natural resources, including waterways, riparian land, surface and groundwater quality and flows and dependant ecosystems,*
- (m) to protect and enhance the viability, identity and diversity of the Parramatta City Centre and recognise it as the pre-eminent centre in the Greater Metropolitan Region,*
- (n) to encourage development that demonstrates efficient and sustainable use of energy and resources in accordance with ecologically sustainable development principles.*

It is considered that the development satisfactorily meets the aims of the plan.

Clause 2.3 Zone objectives and Land Use Table

The site is zoned RE1 Public Recreation and W1 Natural Waterways, however, the subject site and works are wholly located within the RE1 zone. The aims and objectives for the RE1 zone in Clause 2.3 – Zone Objectives are as follows:

RE1 Public Recreation.

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To conserve, enhance and promote the natural and cultural heritage value of parks and open space in the zone.
- To create opportunities to use riverfront land for public recreation.

The proposal is consistent with these objectives.

PERMISSIBILITY

The proposed demolition to the existing scout hall is located within Zone RE1 Public Recreation under Parramatta Local Environmental Plan 2023 (PLEP 2023). The proposed works are permissible with consent in the zone in accordance with Clause 2.7 to PLEP 2023.

Zone Objectives

The proposed demolition is not antipathetic to the objectives for development in Zone RE1 Public Recreation, which are:

- To enable land to be used for public open space or recreational purposes.
- To provide a range of recreational settings and activities and compatible land uses.
- To protect and enhance the natural environment for recreational purposes.
- To conserve, enhance and promote the natural and cultural heritage value of parks and open space in the zone.
- To create opportunities to use riverfront land for public recreation.

The demolition will enable the removal of an unsafe structure and increase public access to the area occupied by the hall building. Trees will be suitably protected during the site works. A hoarding will be provided during the works to protect public safety.

| Standards and Provisions | Compliance |
|--|---|
| Part 4 Principal development standards | |
| Cl. 4.3 Height of buildings | N/A This application specifically seeks to demolish a scout hall structure that has been damaged by fire in December 2022. |
| Cl. 4.4 Floor space ratio | N/A The GFA of the building would result in 0m ² upon the completion of works. A separate application is required to allow for future development on the subject site. |
| Cl. 4.6 Exceptions to Development Standards | No contravention of a development standard is being sought in this application. |
| Part 5 Miscellaneous provisions | |
| Cl. 5.10 Heritage conservation | The site is not a heritage item and is not within a heritage conservation area. |
| Cl. 5.21 Flood Planning | The Ponds Creek runs in the southern portion of the lot and therefore the site is identified by Council as being flood prone. The development involves only demolition of the existing building and removal of footings. These works will not impact upon potential flooding in the vicinity. Should the site be redeveloped in future it will need to take flooding into account. |
| Part 6 Additional local provisions | |
| Cl. 6.1 Acid Sulfate soils | The site is identified as Class 5 Acid Sulfate Soil (ASS). Clause 6.1 requires an acid sulfate soils management plan (ASSMP) for works more than 5m below the natural ground surface or which will lower the water table by more than 2m. The proposal does not include any such works and an ASS Management Plan is not required. |
| Cl. 6.2 Earthworks | Earthworks, cut and fill are not proposed and the proposed removal of footings is not considered to be earthworks as ground levels will be reinstated following removal of materials. |
| Cl. 6.3 Biodiversity | The site is identified as being affected by Biodiversity Values on this map. The proposal results in no removal of any trees and vegetation and trees in close proximity are to be protected and retained. As a result, no further biodiversity |

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| | assessment is required and the proposal will maintain the terrestrial and aquatic biodiversity integrity of the site. |
| Cl. 6.4 Riparian land and waterways | The proposed works site is not within land identified on this map. |
| Cl. 6.6 Foreshore Area | The subject site is not located in the foreshore area. |
| Cl. 6.8 Landslide risk | The subject site is not identified on this map. |

9. The Parramatta Development Control Plan 2011

The Draft Parramatta Development Control Plan 2023 (draft PDCP) was placed on public exhibition from 13 March 2023 to 1 May 2023. The draft PDCP will replace the five existing DCPs that apply within the Local Government Area and will serve as a primary supportive planning document to the Parramatta Local Environmental Plan 2023 for guiding development and land use decisions made by Council.

On Monday 28 August 2023, Council adopted the draft PDCP, and the Parramatta Development Control Plan 2023 (PDCP 2023) came into effect on Monday 18 September 2023.

Section 1.4 of the adopted PDCP which concerns the relationship to other plans and policies is outlined below:

If a Development Application has been lodged before the commencement of the PDCP 2023 in relation to land to which the PDCP 2023 applies, and the Development Application has not been finally determined before the commencement of the PDCP 2023, the Development Application must be determined as if the PDCP 2023 had not commenced.

In this instance, the application was lodged 7 August 2023 and therefore, is to be assessed under the Parramatta Development Control Plan 2011 (PDCP 2011). However, it is acknowledged that all future development is to be assessed under the new consolidated PDCP.

Whilst the application has been assessed under PDCP 2011, it is noted that the proposal does not unreasonably defer from the aims and objectives of the PDCP 2023 and is considered complimentary of the expected future design and character of the area.

The relevant matters to be considered under PDCP 2011 for the proposed development are outlined below.

| Development Control | Comment | Comply |
|---|--|--------|
| Part 2 Environmental Management | | |
| 5.1.1 Flooding | The Ponds Creek runs south along the lot and therefore the lot is identified by Council as being flood prone. The works footprint is clear of flood affected land and the development involves only demolition of the existing building and removal of footings. These works will not impact upon potential flooding in the vicinity. | Yes |
| 5.1.3 Stormwater | The proposed demolition will not impact on any existing stormwater drainage system and appropriate sediment and erosion measures are proposed with recommended conditioned. Redundant stormwater infrastructure will be removed and backfilled. | Yes |
| 5.1.5 Groundwater | The demolition of a small one storey building is not considered to introduce any adverse impacts on groundwater. Demolition is to ground level only with limited excavation proposed to remove footings and backfill to match existing ground levels. The site is to be left in clear and safe state as part of the broader public reserve. | Yes |
| 5.2.1 Control of Soil Erosion and Sedimentation | An Erosion and Sedimentation Control Plan is submitted and considered satisfactory. The plan is considered sufficient to demonstrate that there will be effective controls during demolition to ensure sedimentation of waterways and drainage systems, and wind-blown soils will not occur. | Yes |
| 5.2.6 Air Quality | The site will be managed during demolition to mitigate any potential impacts on air quality. It is expected that appropriate dust mitigation measures will be employed during demolition, which can be secured via conditions of consent. | Yes |

| | | |
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| 5.3.1 Biodiversity | <p>The subject site is partly mapped on the Biodiversity Values Map. Council's GIS mapping also indicates the presence of Sydney Turpentine Ironbark Forest (a CEEC under the BC Act 2016) adjoining the subject site.</p> <p>The proposed demolition works do not propose the removal of trees and the building proposed to be demolished is outside the mapped area on the Biodiversity Values Map.</p> <p>Council's Biodiversity Planning Officer reviewed the proposal and concluded:</p> <p><i>The proposed development will not be likely to significantly impact threatened species, ecological communities or their habitats, not trigger the BOS, and no ecological constraints apply that warrant further investigation. I have provided Natural Resources conditions to protect the adjoining vegetation/reserve, including the large E. saligna tree adjacent to the dwelling.</i></p> <p>As a result, no further biodiversity assessment is required and the proposal will maintain the quality and integrity of existing terrestrial and aquatic biodiversity.</p> | Yes |
| 5.3.3 Development on Land Adjoining Land Zoned W1 Natural Waterway | The proposed demolition will have no adverse impact to the water quality, marine vegetation and soils of any waterways. Appropriate sediment and erosion measures are proposed and required by conditions. | Yes |
| 5.4.8 Waste Management | This Development Application is accompanied by a waste management plan and a demolition works plan which identifies demolition waste recycling and handing during demolition works. | Yes |

10. Development Contributions

A Section 7.12 contribution is not required to be paid under the City of Parramatta (Outside CBD) Development Contributions Plan 2021. As detailed under section 1.3 of the Contributions Plan, this DA would be excluded as it is development undertaken by or on behalf of Council and no net increase in population will result.

12. Bonds

In this instance a Security Bond is not required to be imposed.

13. EP&A Regulation 2021

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.

14. The likely impacts of the development

The assessment demonstrates that the proposal will not have any significant adverse impacts upon any adjoining properties or the environment through compliance with the applicable planning instruments and controls.

All relevant issues regarding environmental impacts of the development are discussed elsewhere in this report, including natural impacts such as flooding, soil erosion, biodiversity impact, air quality and contamination potential.

In the context of the site and the assessments provided by Council's experts, the development is considered satisfactory in terms of environmental impacts.

15. Suitability of the Site

The subject site can accommodate a proposal to demolish the existing fire damaged structure. The removal of the damaged structure would enable the remediation of existing asbestos within the structure. Removal of such contamination would assist in preserving the surrounding area.

Suitable investigations and documentation have been provided to demonstrate that the site can be made suitable for the proposed development and the development is consistent with the land use planning framework for the locality.

No natural hazards or site constraints exist that are likely to have an unacceptably adverse 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.

Further development and earthworks proposed within the site will be assessed through a new DA application.

16. Public Consultation

In accordance with the Parramatta Notification Plan the Development Application was not required to be notified and advertised.

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

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. It has been approved for the following reasons:

1. The development is consistent with the objectives for development in Zone RE1 Public Recreation zone, is permissible with consent in accordance with Clause 2.7 to PLEP 2023 and satisfies the requirements of all of the applicable planning controls.

For the reasons given above, approval of the application is in the public interest.

Therefore, it is recommended that the application be approved subject to conditions.

19. Recommendation

RECOMMENDATION

- a. **That** the Parramatta Local Planning Panel, exercising the function of the consent authority, pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979, **approve** development consent to DA/462/2023 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent.

REASONS FOR APPROVAL

1. The development is permissible in the RE1 Public Recreation zone and satisfies the requirements of the applicable planning provisions.
2. The development will be compatible with the emerging and planned future character of the area.
3. The development is not expected to create adverse amenity impacts to adjoining residential properties.
4. For the reasons given above, approval of the application is in the public interest.

DRAFT CONDITIONS OF CONSENT

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

Development Consent No.: DA/462/2023
Property Address: Lot R DP 36696, 42A and 42B Yates Avenue,
DUNDAS VALLEY NSW 2117

Conditions:

PART A: GENERAL

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:

| Document/Drawing No. | Prepared By | Dated |
|-------------------------------|-----------------------------|------------------|
| Demolition Site Plan | SG Architectural & Heritage | July 2023 |
| Sediment Erosion Control Plan | SG Architectural & Heritage | July 2023 |
| Waste Management Plan | City of Parramatta | Undated |
| Asbestos Survey | Trinitas Group | 31 August 2023 |
| Detailed Site Investigation | Trinitas Group | 12 December 2023 |

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.

PANSC Non-standard - General Matters – Landscaping of site post demolition

2. Post demolition, the area of the site affected by the demolition shall be filled and levelled with appropriate growing medium to allow for turf or similar grass planting to be implemented. The turf/grass is to be maintained hereafter.

Reason: To ensure the site is maintained in a visually acceptable manner following demolition.

PA0002 Building work in compliance with BCA

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

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

PA0004 No encroachment on Council and/or Adjoining proper

4. All approved works must be located within the confines of the property boundary. No construction equipment, gates and doors shall 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.

PA0011 Demolition of Buildings

5. Approval is granted for the demolition of the scout hall currently on the property, subject to compliance with the following:-

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

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

- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.

- (h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover “Demolition Licence” and a current WorkCover “Class A (Restricted) Asbestos Licence”.
- (i) Demolition is to be completed within 10 days of commencement.
- (j) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (k) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (l) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
 - (i) Proposed ingress and egress of vehicles to and from the construction site;
 - (ii) Proposed protection of pedestrians adjacent to the site;
 - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
- (m) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (n) Before demolition works begin, adequate toilet facilities are to be provided.
- (o) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (p) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
 - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

LA0001 Tree Retention

- 6. No trees have been approved for removal. All trees are to be retained and protected.

Reason: To protect significant trees which contribute to the landscape character of the area.

LA0002 Demolition & tree removal

- 7. Trees equal to or greater than five (5) metres in height, which are protected under City of Parramatta Council Development Control Plan 2023 (Part 5 Environment Management), must not be removed or damaged without Council consent.

Reason: To preserve existing landscape features.

OA0005 No trees are to be removed on public property

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

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

ECA0001 **Hazardous/intractable waste disposed legislation**

9. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Safework NSW and the EPA, and with the provisions of:
 - (a) Work Health and Safety Act 2011
 - (b) NSW Protection Of the Environment Operations Act 1997 (NSW) and
 - (c) NSW Environment Protection Authority (EPA) Waste Classification Guidelines.

Reason: To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner.

ECA0005 **Signage – Contamination**

10. A sign displaying the contact details of the remediation shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.

Reason: To provide contact details for council inspectors and for the public to report any incidents.

ECA0006 **Require to notify about new contamination evidence**

11. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council immediately.

Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.

EAC0016 **Validation Report**

12. A validation report prepared by a suitability qualified person shall be provided to Council's Environmental Health Team Leader for approval within 30 days following completion of the remediation works, which demonstrates:
 - a. All remediation works undertaken comply with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997*, State Environmental Planning Policy (Resilience and Hazards) 2021 and Council's Management of Contaminated Lands Policy and includes:
 - Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;
 - A "notice of completion of remediation work" as required under Chapter 4 (Remediation of Land), State Environmental Planning Policy (Resilience and Hazards) 2021.

The site is to have access restricted until such time approval has been given that the site following remediation of contamination is suitable for the intended use.

Reason: To ensure the works are in accordance with the Contaminated Land Management Act 1997.

PART B – BEFORE THE COMMENCEMENT OF DEMOLITION WORK

(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)

BC0001 Toilet facilities on site

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

Reason: To ensure adequate toilet facilities are provided.

PC0002 Enclosure of the site

14. 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 prior to the commencement of any work on site.

Reason: To ensure public safety.

PC0003 Site Sign

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

(a) Unauthorised entry of the work site is prohibited;

(b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and

(c) The development consent approved construction hours;

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

(e) This condition does not apply where works are being carried out inside an existing building.

Reason: Statutory requirement.

PC0005 Public liability insurance

16. 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.

LC0001 Tree & protection measures

17. Prior to the commencement of demolition works, a Methodology Statement, prepared by a suitably qualified arboriculture's (Australian Qualification Framework Level 5), must be forwarded to Council's Development and Traffic Service Department. This statement is to identify the measures to be implemented for protection of trees, located on the site during demolition and site clearance. The statement is to be structured so that each of the following stages of demolition are individually addressed, namely:

- (a) Tree canopy and trunk protection;
- (b) Trunk protection;
- (c) Selective pruning to facilitate demotion works;
- (d) Demolition and site clearance.

Reason: To ensure adequate protection of the existing trees on the site.

OCNC non-standard – Prior to work commencing

18. A Methodology Statement, prepared by a suitably qualified arborist (Australian Qualification Framework Level 5 or above), must be prepared prior to the demolition works commencing. This statement is to identify the measures to be implemented for the protection of the large *Eucalyptus saligna* (Sydney blue gum) tree located directly adjacent to the rear of the dwelling during the demolition works. The statement is to be in line with the Australian Standard 4970 - 2009. Once the work is completed, the Project Arborist is to provide certification to Council's Development and Traffic Service Department.

Reason: To ensure adequate protection of existing trees.

DB0003 Sydney Water Quick check

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

A copy of the building plan approval receipt from Sydney Water Tap in™ must be submitted to the Council upon request prior to works commencing.

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

20. 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. The person/s having the benefit of this consent are required to forward the written confirmation from NDBYD to Council prior to any excavation occurring.

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

DB0021 Impact on Existing Utility Installations

21. 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 provided prior to demolition works commencing to the satisfaction of Council.

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

DB0022 Support for Council Roads, footpaths, drainage reserves.

22. Council property adjoining the construction site must be fully supported at all times during all demolition, excavation and construction works. Details of any required shoring, propping and anchoring devices adjoining Council property, are to be prepared by a qualified structural or geotechnical engineer. These details must be provided prior to demolition works commencing and be to the satisfaction of the Council.

Backfilling of excavations adjoining Council property or any void remaining at the completion of the construction between the building and Council property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure.

DC0006 Erosion and Sediment Control measures

23. 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

24. 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

25. 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.

ECC0001 Asbestos Hazard Management Strategy

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

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

ECC0002 Asbestos - signage

27. On demolition sites where buildings are known to contain friable or non-friable asbestos material, standard warning signs containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm are to be erected in a prominent position on site visible from the street kerb. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site. Advice on the availability of these signs can be obtained by contacting the NSW SafeWork Authority hotline or their website www.safework.nsw.gov.au/

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

ECC0003 Hazardous material survey

28. **At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Council's Environmental Health Team Leader, a hazardous materials survey of the site.** Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably

qualified and experienced environmental scientist and must include at least the following information:

- (a) The location of hazardous materials throughout the site;
- (b) A description of the hazardous material;
- (c) The form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- (d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- (e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- (f) Identification of the disposal sites to which the hazardous materials will be taken.

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

LC0004 Protective fencing

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

Reason: To protect the environmental amenity of the area.

LC0005 Tree Protection Signage

30. Prior to works commencing, tree protection signage is to be attached to the fencing of each Tree Protection Zone. It is to be displayed in a prominent position and in locations where the fence changes direction. Each sign must contain the following detail in a clear and legible form:

- (a) The Tree Protection Zone is a 'No-Go Zone';
- (b) This fence has been installed to prevent damage to the trees and their growing environment, both above and below ground level. Access to this area is restricted; and
- (c) The name, address, and telephone number of the developer and site Arborist.

Reason: To protect existing trees during the construction phase.

PART C: WHILE DEMOLITION WORK IS BEING CARRIED OUT

TD0001 Occupation of any part of footpath/road

31. 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

32. 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.

DD0005 Erosion & sediment control measures

33. Works are not to result in sedimentation and or run-off from the approved works onto the adjoining properties and or public lands. The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

Reason: To ensure no adverse impacts on neighbouring properties.

DD0006 Damage to public infrastructure

34. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

Reason: To protect public safety.

PD0019 Material identified as contaminated

35. In the event that material is identified at the subject site as contaminated as defined in the Managing Land Contamination Planning Guidelines dated 1998 and prepared by the Department of Urban Affairs and Planning, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. Any soil investigation must be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites, the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007, and the provisions of the Contaminated Land Management Act 1997 and Regulation 2013.

Reason: To ensure that the provisions set out in Chapter 4 (Remediation of Land), State Environmental Planning Policy (Resilience and Hazards) 2021 have been met and the use of the land poses no risk to the environment and human health..

LD0003 Pruning of trees by an arborist

36. 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).

LD0004 Material storage and trees

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

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

PD0001 Copy of development consent

38. 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

39. 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.

PD0004 Materials on footpath

40. 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

41. 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

42. 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 Council to respond to concerns raised by the public.

PD0008 Noise

43. 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.

ECA0009 Contaminated waste to licensed EPA landfill

44. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

PD0009 Importation of clean fill

45. Any fill material, required by this consent, imported to the site is to be virgin excavated natural material (VENM) and is to be certified as such by a suitably qualified industry professional. The certification of each delivery is to be kept on site and produced for inspection if requested.

Reason: To ensure the site does not become contaminated and appropriate compaction levels can be achieved.

ECD0002 Asbestos-records disposal & licensed waste facilities

46. Where demolition of asbestos containing materials is undertaken, the contractor must submit to Council's Environmental Health Team Leader, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

Reason: To ensure appropriate disposal of asbestos materials.

ECD0003 Materials handled and disposed of by licensed facility

47. All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2005 and the EPA publication 'Waste Classification Guidelines - 2008' and any other regulatory instrument as amended.

Reason: To ensure appropriate disposal of asbestos materials.

ECD0004 Waste data maintained

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

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

ECD0005 Disposal of Material at Licensed Landfill

49. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

Advisory Note

1. The applicant is advised that part of the property is identified on the NSW Department of Planning and Environment (DPE) 'Biodiversity Values Map' (<https://www.lmbc.nsw.gov.au/BVMap>) under the *Biodiversity Conservation Act 2016*. This Act prohibits the clearing of native vegetation or undertake prescribed impacts on 'Biodiversity Values Map' land without approval. Actions such as removal of NSW native vegetation is deemed illegal clearing and could result in any person who carried out such an action as liable for prosecution.
2. The Persons carrying out excavation of land within Council reserves should exercise appropriate caution as asbestos or other contaminated materials may be present. In the event that asbestos or other contaminated materials are identified, Council is to be notified and the contaminated materials are to be managed safely and appropriately in accordance with SafeWork NSW Codes of Practice, the NSW *Work Health and Safety Act and Regulation 2017* and *Protection of the Environment Operations (Waste) Regulation 2014*.