

Recommended Conditions of Consent

SCHEDULE 1

Application No.:	DA/527/2010
Applicant:	Land and Housing Corporation
Consent Authority:	Parramatta City Council
Land:	9 Albert Street, North Parramatta (Lot 1)
Development:	<p>Proposed Residential Housing Project: Concept Proposal and Stage 1- Construction Enabling works, including:</p> <ul style="list-style-type: none">• A <u>concept proposal</u> for two (2) stages of construction including:<ul style="list-style-type: none">▪ a building envelope for 3, three storey residential flat buildings to accommodate 91 units that will be occupied partly by Housing NSW Tenants and partly by private owners/tenants;<ul style="list-style-type: none">• Stage 1 will comprise of 33 units; and• Stage 2 will comprise of 58 units.▪ provision of basement car parking for 83 vehicles;▪ provision of 14 at grade car parking spaces; and▪ earthworks, civil infrastructure and landscaping.• <u>Stage 1</u> construction enabling works including:<ul style="list-style-type: none">▪ demolition of the existing hostel building;▪ tree removal and landscaping works;▪ provision of an internal access driveway;▪ construction of 1 three storey residential flat building accommodating 33 residential units to be occupied by Housing NSW tenants;▪ provision of a community artist space; and▪ provision of 7 at grade car parking spaces.

SCHEDULE 2

CONDITIONS OF CONSENT FOR CONCEPT PROPOSAL

PART A – DEVELOPMENT DESCRIPTION

- A1 Development consent is granted to the 'concept proposal' as described in the Statement of Environmental Effects as amended by the Supplementary Planning Report prepared by DEM, March 2013 and the conditions contained in this development consent.

Determination of future Stage 2 application

- A2 In accordance with section 83B(3)(a) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) the Stage 2 main construction (building works) are to be the subject of a future development application.
- A3 The determination of the future Stage 2 application is to be generally consistent with the terms of this development consent as described in Schedule 1, and subject to the conditions in Schedule 2.

Development in Accordance with Plans and Documents

- A4 The applicant shall carry out the project generally in accordance with the:
- a) Statement of Environmental Effects, as amended by the Supplementary Planning Report prepared by DEM, March 2013.
 - b) The following drawings, except for:
 - i) any modifications which are Exempt or Complying Development; and
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by DEM Drawing as follows:			
Drawing No.	Revision	Name of Plan	Date
AR-0101	A02	Site plan	28/2/2013
AR-0201	A02	Landscape Master Plan	1/9/2010
AR-0202	A01	Master Plan Basement	1/7/2010
AR-0203	A01	Master Plan Ground Floor	1/7/2010
AR-2101	A01	Site Sections	1/9/2010
AR-2102	A01	Site Sections	1/9/2010
sw03	A	Hydraulic Services Stormwater drainage stage 2	18/6/2010
sw04	A	Hydraulic Services Stormwater drainage details revision	6/9/2010

Inconsistency between documents

- A5 If there is any inconsistency between the plans and documentation referred to above the most recent plan/and or document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Lapsing of approval

- A6 This consent will lapse five (5) years from the date of consent unless the works associated with Stage 1 of the development have physically commenced.

END OF PART A, SCHEDULE 2

PART B - CONDITIONS FOR CONCEPT (CONDITIONS TO BE MET IN FUTURE DEVELOPMENT APPLICATION FOR STAGE 2)

Building Design

- B1 The building B shall attain a maximum height of RL32.900m AHD and shall not be inconsistent with the building envelope illustrated on the approved plans referenced in **Condition A4 of Part A Schedule 2**.
- B2 The building C shall attain a maximum height of RL34.100m AHD and shall not be inconsistent with the building envelope illustrated on the approved plans referenced in **Condition A4 of Part A Schedule 2**.

Landscape Details

- B3 The Stage 2 landscape plan detail should include local native species to the area which provide appropriate function (i.e. not a risk to the public from limb fall, or must be able to deliver stormwater quality outcomes) and create the amenity referred to in the Landscape Concept.

Tree Maintenance

- B4 The trees numbered 1- 7 and 9 -14 identified in the submitted Tree Report by Treescan Urban Forest Management dated June 2010 are required to be retained until the further development application for stage 2 of the development has been approved and construction for that stage has commenced after which time they may be removed.

Trees to be Kept

- B5 The trees numbered 20, 25-28, 31-36 identified in the submitted Tree Report by Treescan Urban Forest Management dated June 2010 are required to be retained.

Tress to be Removed

- B6 The trees numbered 8, 15-19, 21-24, 29-30, 37-39 identified in the submitted Tree Report by Treescan Urban Forest Management dated June 2010 may be removed.

END OF PART B, SCHEDULE 2

SCHEDULE 3

CONDITIONS OF CONSENT FOR STAGE 1 WORKS

PART A – DEVELOPMENT DESCRIPTION

A1 Consent is granted to the 'stage 1 works' as described in the Statement of Environmental Effects, and as amended by the Supplementary Planning Report prepared by DEM, March 2013 and the conditions contained in this development consent.

Development in Accordance with Plans and Documents

A2 The applicant shall carry out the project generally in accordance with the:

- a) Statement of Environmental Effects, as amended by the Supplementary Planning Report prepared by DEM, March 2013.
- b) The following drawings, except for:
 - i) any modifications which are Exempt or Complying Development; and
 - ii) otherwise provided by the conditions of this consent.

Architectural (or Design) Drawings prepared by DEM Drawing as follows:			
Drawing No.	Revision	Name of Plan	Date
AR – 0101	a02	Site Plan	28/2/2013
AR – 1201	A02	Stage 1 Ground Floor Plan	1/9/2010
AR – 1202	A02	Stage 1 First Floor Plan	1/9/2010
AR – 1203	A02	Stage 1 Second Floor Plan	1/9/2010
AR – 1204	A02	Stage 1 Roof Plan	1/9/2010
AR-2201	A01	Stage 1 Sections	1/7/2010
AR-2202	A01	Stage 1 Sections	1/9/2010
AR-2601	A01	Stage 1 Elevations Sheet 1	1/7/2010
AR-2602	A02	Stage 1 Elevations Sheet 1	1/9/2010
AR-0204	A01	Staging Plan Stage 1 Master Plan	1/7/2010
LA- 0601	A01	Landscape hard works and finishes sheet 1 of 2	8/9/2010
No LA- 0602	A01	Landscape hard works and finishes sheet 2 of 2	8/9/2010
LA – 0701	A01	Landscape soft works Sheet 1 of 2	8/9/2010
LA – 0702	A01	Landscape soft works Sheet 2 of 2	8/9/2010
LA-8901	A01	Landscape details Sheet 1 of 1	8/9/2010
sw01	D	Stormwater drainage erosion & sediment	6/9/2010
sw02	D	Stormwater drainage stage 1	6/9/2010
sw04	A	Stormwater drainage details	6/9/2010
Documents			
Name of Document			Date
Statement of Environmental Effects prepared by DEM			July 2010
Supplementary Planning Report prepared by DEM			March 2013
Site Analysis prepared by DEM			July 2010
Finishes Schedule prepared by DEM Issue 3			30/6/2010

SEPP 65 Statement and supplementary comments prepared by DEM	July 2010 and 2/9/2010
Acoustic Report prepared by Acoustic Logic Consultancy	13/5/2010
Traffic Report and supplementary document prepared by Transport and Traffic Planning Associates	June 2010 and 24/8/2010
Waste Management plan prepared by DEM	1/7/2010
Aborist Report and supplementary comments prepared by Treescan	June 2010 and 10/9/2010
Access report prepared by Accessibility Solutions	30/06/2010
BASIX Certificate No 319538M_02	25/6/2010
BCA report prepared by Davis Langdon	1/7/2010
Social Impact Assessment prepared by Elton Consulting	11/2/2011
Stormwater Management Report – Issue C, prepared by SYDNEY ALL SERVICES Pty Ltd	30/6/2010

Prescribed Conditions

- A4 The applicant shall comply with all relevant prescribed conditions of development consent under Part 6, Division 8A of the Regulation.

Development Costs

- A5 The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer.

Reason: To minimise costs to Council.

END OF PART A, SCHEDULE 3

PART B - PRIOR TO ANY WORK COMMENCING ON THE SITE

Car Park and Service Vehicle Layout

B1 The proposal shall be carried out in accordance with the requirements of the Roads and Traffic Authority (RTA) (now Roads and Maritime Service RMS) as outlined below:

- a) A left turn only exit is permitted on to O'Connell Street and is to be signposted as an 'Exit Only' driveway;
- b) The proposed Exit Only driveway onto O'Connell Street shall be designed and constructed in accordance with AS2890.1 – 2002 and AS2890.2 – 2004 for large vehicles;
- c) The layout of the proposed car parking and loading area associated with the development (including access driveway/s, grades, turn paths, sight distance, car parking spaces, loading areas and turn-around areas) shall be in accordance with AS2890.1 – 2004 and AS2890.2 – 2002 for larger vehicles to the satisfaction of Council;
- d) The approved development shall be designed, constructed, operated and maintained such that road traffic noise from O'Connell Street is mitigated by durable materials and comply with the requirements of Clause 102 (Impact of road noise or vibration on non-road development) of State Environmental Planning Policy (Infrastructure) 2007;
- e) All demolition and construction vehicles and activities are to be contained wholly within the site or on Albert Street;
- f) A Road Occupancy Licence should be obtained from the relevant authority for any works that may impact on traffic flows on O'Connell Street during construction activities; and
- g) All roadwork/regulatory signposting associated with the approved development shall be at no cost to RMS.

Hoarding Application

B2 A Hoarding Application together with the appropriate fee and details is to be submitted to and approved by Council for the enclosure of any public space as required by Council's Hoarding Policy.

The hoarding is required to protect persons from construction or demolition works and no works can commence until approval for the hoarding has been obtained.

Reason: To improve the visual impact of the hoarding structure and to provide safety adjacent to work sites.

Survey Certificate

B3 A survey certificate is to be submitted to Council at footing and/or formwork stage. The certificate shall indicate the location of the building in relation to all boundaries, and shall confirm the floor level prior to any work proceeding on the building.

Reason: To ensure the development is being built as per the approved plans.

Demolition Standards

B4 Demolition work shall be carried out in accordance with Australian Standard 2601-2001 - *Demolition of Structures*.

Reason: To ensure appropriate demolition practices occur.

Work Cover

B5 Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note and provide protection for Council as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The

Policy must be valid for the entire period that the works are being undertaken on public land.

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 on public land.

Road-Opening Permit

- B6 Prior to commencement of any work on the council's road, road reserve or footpath and including where a new pipeline is proposed to be constructed within or across the footpath a Road Opening Permit must be obtained from council by lodging the application for Road Opening Permit.

Note: Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on site.

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

Stormwater Plans

- B7 The approved stormwater plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, storm water drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site www.sydneywater.com.au see Your Business then Building and Developing then Building and Renovating or telephone 13 20 92. The plans are to be stamped by Sydney Water prior to works commencing on site.

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

Energy Provider

- B8 Documentary evidence confirming that satisfactory arrangements have been made with the relevant Energy provider, for the provision of electricity supplies to the developments is to be obtained.

Reason: To ensure adequate electricity supply to the development.

Section 73 Compliance Certificate

- B9 A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. The Application must be made through an authorised Water Servicing Coordinator.

Note: Please refer to "Your Business" section of Sydney Water's web site at <http://www.sydneywater.com.au> then the "e-developer" icon or telephone 13 20 92.

Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Notice of requirements must be obtained prior to works commencing on site.

Reason: Statutory requirement.

Tree removals

- B10 All Tree removals shall be carried out by a qualified Arborist in accordance with the Tree Report by Treescan Urban Forest Management dated June 2010 and conform to the provisions of AS4373-2007, Australian standards for Pruning Amenity Trees and Tree work draft code of practice 2007.

Reason: To ensure works are carried out in accordance with Tree work draft Code of practice 2007.

Flooding

B11

- a) All floor levels and pedestrian and vehicular accesses to the proposed building(s) need to be checked to ensure that an acceptable minimum freeboard requirement above the calculated overland flow for the peak 100 year design ARI storm is achieved.
- b) All overland flow paths are to be kept free of obstructions at all times. No raised garden beds, kerbs, edge retaining walls, fencing, BBQ structures or materials that could impede the conveyance of overland flows are to be placed or stored within these overland flow paths.
- c) A Works-as-Executed plan of the stormwater drainage pipe system Certified by a Registered Surveyor is to be provided to Council on completion of construction. The works as executed survey is to include confirmation of the position of the easement(s), overland flow swales / dish / v-shape surface drains, pit and pipe invert levels, surface levels, pipe sizes and finished surface spot levels along the overland flow path.

Reason: Council requirement.

Notes:

a) *A hydrological study and report is to be prepared in order to demonstrate the extent of the catchment area draining to Councils stormwater drainage system. The study is to provide the total flows for the peak 20 and 100 year ARI flow conditions;*

b) *A hydraulic study and report detailing the size and flow capacity of the existing and the proposed pipe system, demonstrating, by a hydraulic grade line analysis, that the proposed pit and pipe system can capture and convey the peak 20 year ARI design storm, must be prepared by Housing NSW. The hydraulic study and report is to also demonstrate the safe overland flow conveyance of the proposed overland flow path for the peak 100 year design ARI storm event. This information is required to ensure the safe movement of overland flow within the extent of the proposed easement;*

c) *The applicant should check overland flow velocities and flow depths along pedestrian access ways and proposed carpark / driveway areas to ensure that flow depths do not exceed the Council maximum allowable 0.2 m depth and that the maximum velocity depth product is no greater than 0.4;*

d) *The design drawings need to be appropriately amended to include the results of the hydrological and hydraulic studies and include details of the overland flow path and drainage pipe longitudinal section;*

e) *A formal easement to drain water in favour of Council is to be created to protect the new drainage pipe and overland flow path. The drainage easement shall not be encroached by any structures nor the any structures whether temporary or permanent shall be placed within the drainage easement; and*

f) *All service utility pits and structures will need to be located outside the overland flow path.*

If it is confirmed the pipe does not drain any area upstream of this property and that the pipe only drains the building within this property the above notes (a)-(f) are not applicable.

Reason: *To ensure that if the existing pipe does drain any area upstream of this property the pipe system or its alternatives options are formalised and protected.*

Stormwater System

B12 No construction works shall start on the stormwater system until the detailed final storm water plans have been prepared. Prior to the commencement of works on the stormwater system Land & Housing Corporation shall ensure that:

- a) The final stormwater plans are consistent with, and address and incorporate all the notes/issues marked on the approved Stormwater Plans i.e. the plans with the stamp “Approved Stormwater Plan” on the drawings titled “Hydraulic Services Stormwater Drainage (Stage 1) Plan” Drawing reference # SW02, Job #30389, Issue “D”, dated 06/09/2010, prepared by Sydney All Services Pty Ltd (1 sheet) and “Hydraulic Services Stormwater Drainage Details” Drawing reference # SW04, Job #30389, Issue “A”, dated 06/09/2010, prepared by Sydney All Services Pty Ltd (1 sheet) together with the comments, notes annotated thereon and approved with this Development Consent;

Note: The approved Stormwater Plans are for DA approval only and shall not be used for construction purposes as the construction plan (drawing). Separate Rectified Plan addressing the issues and incorporating all notes marked on this plan shall be prepared prior to any works commencing on site.

- b) The proposed On-Site Detention (OSD) System has been designed and certified by a suitably qualified Hydraulic Engineer, in accordance with the Upper Parramatta River Catchment Trust “On-Site Detention Handbook” and Council’s Drainage Code E4 and stormwater Drainage Guidelines;
- c) The design achieves, a Site Storage Requirement of 470 m³/ha and a Permissible Site Discharge of 80L/s/ha (as per 3rd edition of UPRCT’s handbook) with each basin of storage capacity as shown on the approved stormwater plan; and
- d) Detailed Stormwater plans with cross sectional details of OSD storage areas; pits etc, OSD Detailed Design Submission (Form B9) and OSD Detailed Calculation Summary Sheets are submitted and approved by Council.

Reason: To minimise the quantity of storm water run-off from the site, surcharge from the existing drainage system and to manage downstream flooding.

Access and Parking

B13 Prior to the commencement of construction works associated with traffic access and parking, longitudinal driveway sections are to be prepared by a qualified civil/traffic engineer. These profiles are to be at 1:100 scale along both edges of the proposed driveway, starting from the centreline of the frontage street carriageway to the proposed car park ground levels. The civil/traffic engineer shall provide specific written certification on the plans that:

- a) vehicular access can be obtained using grades of 20% (1 in 5) maximum; and
- b) all changes in grade (transitions) comply with Australian Standard 2890.1 (2004) – “Off-street car parking” to prevent the scraping of the underside of the vehicles.

Reason: To provide suitable vehicle access without disruption to pedestrian and vehicular traffic.

Excavation

B14 No excavation activity shall commence where the excavation is close to the neighbouring building and the excavation extend below the level of the base of the footing of a building on an adjoining allotment of land until the applicant demonstrate that a structural /geotechnical engineer’s certificate with certified detail drawings from a qualified practicing structural/geotechnical engineer showing methods to be employed to support the excavation adjacent to the neighbouring building foundation and extending further two (2) meters on each end of the foundation have been prepared. The person carrying out the excavation activity shall ensure the following:

- a) preserve and protect the building from damage;
- b) at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished; and

- c) record details of the date and manner by which the adjoining owner(s) were advised

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: To ensure adjoining owner's property rights are protected and protect adjoining properties from potential damage.

Construction Management Plan & Traffic Control Plan(s)

B15 Prior to the commencement of construction works a Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition. The following matters must be specifically addressed in the Plan:

- a) Construction Management Plan for the Site
A plan view of the entire site and frontage roadways indicating:
- i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways;
 - ii. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site;
 - iii. The locations of proposed Work Zones in the egress frontage roadways;
 - iv. Location of any proposed crane standing areas;
 - v. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries;
 - vi. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected;
 - vii. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible;
 - viii. Proposed ingress and egress of vehicles to and from the construction site;
 - ix. Proposed protection of pedestrians adjacent to the site;
 - x. Proposed pedestrian management whilst vehicles are entering and leaving the site;
 - xi. The Pedestrian and Traffic Management Plan shall be implemented during the demolition, excavation and construction period; and
 - xii. Any request for adjustment to the construction working hours set by the conditions of this consent and its justification, duration and purpose.
- b) Traffic Control Plan(s) for the site:
- i. All traffic control devices installed in the road reserve shall be in accordance with the Roads and Traffic Authority, NSW (RTA) publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each; and
 - ii. Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.
- c) Where applicable, the plan must address the following:

- i. Evidence of RMS concurrence where construction access is provided directly or within 20 m of an Arterial Road;
- ii. A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations;
- iii. Minimising construction related traffic movements during school peak periods; and
- iv. Recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program (as required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.

Reason: To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

Geotechnical/Civil Engineering Report

B16 Prior to the commencement of construction works a geotechnical/civil engineering report shall be prepared which addresses (but is not limited to) the following:

- a) The type and extent of substrata formations by the provision of a minimum of 4 representative bore-hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore-hole logs shall be related to Australian Height Datum;
- b) The appropriate means of excavation/shoring in light of point (a) above and proximity to adjacent property and structures. Potential vibration caused by the method of excavation and potential settlements affecting nearby footings/foundations shall be discussed and ameliorated; and
- c) The existing groundwater levels in relation to the basement structure, where influenced.

The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydro-geological engineer. The report shall contain site specific geotechnical recommendations and shall specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:

- i. No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure;
- ii. No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure;
- iii. No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure;
- iv. Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development;
- v. Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles; and

- vi. An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table CI of AS 2870 - 1996.

Reason: To ensure the ongoing safety and protection of property.

Tree Protection Zone

B17 A Tree Protection Zone (TPZ) is to be established prior to any works commencing around those trees that are to be retained as shown in the Tree Report prepared by Treescan Urban forest Management dated April 2010. The area is to be enclosed with protective fencing consisting of 1.8m high fully supported chain-wire link or welded mesh fence. "Tree Protection Zone" signage is to be attached to protective fencing; this must include the name and contact details of the site Arborist.

Reason: To protect the trees to be retained on the site during construction works.

B18 Consent from Council is to be obtained prior to any pruning works being undertaken on any tree, including tree/s located in adjoining properties. Pruning works that are to be undertaken must be carried out by a certified AQF Level 3 Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.

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

Licensed Demolisher

B19 Prior to the commencement of demolition work a licensed demolisher who is registered with the WorkCover Authority must prepare a Work Method Statement. A copy of the statement must be submitted to the Council and the WorkCover Authority.

The statement must be in compliance with AS2601-1991 Demolition of Structures," the requirements of WorkCover Authority and conditions of the development approval, and must include provisions for:

- a) enclosing and making the site safe. Any temporary protective structures must comply with the "Guidelines for Temporary Protective Structures (April 2001)";
- b) induction training for on-site personnel;
- c) inspection and removal of asbestos and contamination and other hazardous materials;
- d) dust control. Dust emission must be minimised for the full height of the building. A minimum requirement is that perimeter scaffolding, combined with chain wire and shade cloth must be used, together with continuous water spray during the demolition process. Compressed air must not be used to blow dust from the building site;
- e) disconnection of Gas and Electrical Supply;
- f) fire fighting services on site are to be maintained at all times during demolition work. Access to fire services in the street must not be obstructed;
- g) access and egress. No demolition activity shall cause damage to or adversely affect the safe access and egress of this building;
- h) waterproofing of any exposed surfaces of adjoining buildings;
- i) control of water pollution and leachate and cleaning of vehicles tyres. Proposals shall be in accordance with the "Protection of the Environmental Operations Act 1997";
- j) working hours, in accordance with this Development Consent;
- k) confinement of demolished materials in transit;
- l) proposed truck routes, in accordance with this development consent; and
- m) location and method of waste disposal and recycling in accordance with the "Waste Minimisation and Management Act 1995".

The demolition by induced collapse, the use of explosives or on-site burning is not permitted.

Reason: To provide a Work Method Statement.

Notification of Demolition Work

B20 A minimum of five (5) working days prior to any demolition work commencing, a written notice is to be given to Parramatta City Council and all adjoining occupants. Such written notice is to include the date when demolition will be commenced and details of the principal contractors name, address, business hours contact telephone number, Council's after hours contact number and the appropriate NSW WorkCover Authority licence.

Reason: To protect the amenity of the area.

Dial Before You Dig Service

B21 Prior to any excavation on or near the subject site the applicant is required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to received written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services.

Reason: To prevent any damage to underground utility services.

Dilapidation Survey

B22 Prior to commencement of any works, including demolition and excavation, documentary evidence including photographic evidence of any existing damage to the neighbouring properties and Council's property. Council's property includes footpaths, kerbs, gutters, drainage pits, pipes etc. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of works. Failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs

Reason: To ensure that the applicant bears the cost of all restoration works to Council's property damaged during the course of this development.

Fencing

B23 The site must be enclosed with a 1.8 m high security fence to prohibit unauthorised access. The fence must be located wholly within the development site prior to commencement of any works on site.

Reason: To ensure public safety.

Erosion and sediment control devices

B24 Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site.

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

END OF PART B, SCHEDULE 3

PART C – DURING CONSTRUCTION OF STAGE 1 WORKS

Property Boundary

- C1 The development shall be constructed within the confines of the property boundary. No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.
Reason: To ensure no injury is caused to persons.

Building Code of Australia

- C2 All building work must be carried out in accordance with the current provisions of the Building Code of Australia.
Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

Utility Installations

- C3 Excluding stormwater downpipes, service ducts shall be provided within the building to keep external walls free of plumbing or any other utility installations. Such service ducts are to be concealed from view from the street.
Reason: To ensure the quality built form of the development.

Heritage

- C4
- a) Historic and indigenous archaeological sites and relics are protected under the Heritage Act 1977 and National Parks and Wildlife Act 1974 respectively. Should any historical items, indigenous items or relics, be uncovered during the course of the approved works, work must cease in the affected area and the Office of Environment and Heritage must be contacted.
 - b) If human remains are located, all works must halt in the immediate area to prevent any further impact on the find. The NSW Police and OEH are to be notified as soon as possible. If the remains are found to be of Aboriginal origin and the NSW Police consider the site not an investigation site for criminal activities, then works shall not recommence in the vicinity of the find until written consent is granted from OEH. In the event that a criminal investigation ensues, works shall recommence in the vicinity of the find until written consent is granted from the NSW Police.
- Reason:** To ensure compliance with legislative requirements.

Footpath Crossings, Laybacks and Driveways

- C5 All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing; and DS10 (Vehicular Crossing Profiles).

No Construction works may commence without the approval of Council.

Note: This development consent is for works wholly within the property. Development consent does not imply approval of the footpath or driveway levels, materials or location within the road reserve, regardless of whether the information is shown on the development application plans.

Reason: To provide suitable vehicular access without disruption to pedestrian and vehicular traffic.

Parking requirements

- C6 The development shall make provision for a total of 7 (at grade) car parking spaces (stage 1) designed in accordance with AS 2890.0 - 2004. The approved car parking spaces shall be maintained to the satisfaction of Council, at all times.
Reason: To ensure adequate car parking facilities are provided.

Tree Protection

- C7 As per B17, the trees identified on the endorsed plans and identified within the submitted approved Tree Report as being retained shall be protected prior to and throughout the demolition/construction process in accordance with the 'Discussion' notes contained within the Tree Report prepared by Treescan Urban Forest Management dated June 2010 and Tree Protection Letter dated 10 September 2010 and the relevant conditions of this consent.

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

Tree protection

- C8 No materials (including waste and soil), equipment, structures or good of any type shall be stored, kept or placed within five (5) metres from the trunk or within the drip line of any tree.

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

Tree protection

- C9 All excavation within three (3) metres from the tree/s identified to be retained on site is to be supervised by an AQF Level 3 arborist, who shall undertake any remedial work, including the pruning of roots, if necessary.

Reason: To provided adequate protection of trees

Tree protection

- C10 No service, structure, conduit or the like shall be fixed or, attached to any tree.

Reason: To ensure the protection of the tree(s).

Tree protection

- C11 No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved in the consent shall be removed or damaged during construction including the erection of any fences, hoardings or other temporary works.

Reason: Protection of existing environmental infrastructure and community assets.

Site Maintenance

- C12 Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site are to be maintained in a safe and tidy manner. In this regards the following is to 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 regular basis
- d) the site is to be maintained clear of weeds
- e) all grassed areas are to be mown on a monthly basis

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

Approved Plans on Site

- C13 A copy of this development consent, stamped plans and accompanying documentation is to be retained for reference with the approved plans on-site during the course of any works. Appropriate builders, contractors or sub-contractors shall be furnished with a copy of the notice of determination and accompanying documentation.

Reason: To ensure compliance with this consent.

Working Hours

- C14 All work including building, demolition and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the

commencement of work (eg. loading and unloading of goods, transferring tools 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
- 8.00am to 12pm on Saturday
- No work is to be carried out on Sunday or public holidays.

a) Such circumstances where extended hours may be permitted include:

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

b) Works may be undertaken outside these where

- The delivery of materials is required outside these hours by the Police or other authorities; and
- It is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm.

Note: A variation to these approved hours may be approved by Council in the Construction Management Plan applying to the stage of works where extension of working hours is necessary, for example with a large concrete pour or erection or dismantling of a crane. The Construction Management Plan must include a statement regarding the reasons and justification for the variation sought

Reason: To protect the amenity of the area.

Construction noise

C15 Noise from construction, excavation and/or demolition activities associated with development shall comply with the *DECCW Interim Construction Noise Guidelines 2009*.

Vibration Criteria

C16 Vibration caused by construction at any residence or structure outside the subject site must be limited to:

- a) for structural damage vibration, German Standard DIN 4150-3 Structural Vibration: Effects of Vibration on Structures; and
- b) for human exposure to vibration, the evaluation criteria presented in British Standard BS 6472: Guide to Evaluate Human Exposure to Vibration in Buildings (1Hz to 80 Hz) for low probability of adverse comment.

Note: These limits apply unless otherwise approved in the Works Noise and Vibration Management Plan.

Complaints Register

C17 The applicant shall record details of all complaints received during the construction period in an up to date complaints register. The register shall 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.

Note: The complaints register shall be made available to Council upon request.

Public Safety

C18 Any damage to Council assets that results directly from the construction activities that affect public safety during construction shall be rectified immediately to the satisfaction of Council at the cost of the developer.

Reason: To protect public infrastructure and maintain public safety.

Signage

C19 Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to compel all vehicles to stop before proceeding onto the public way.

Reason: To ensure pedestrian safety.

Waste records

C20 A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. The applicant may be required to produce these documents to Council on request during the site works.

Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2005 are met.

Demolition

C21 If excavation associated with the erection or demolition of any building extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made:

- a) must preserve and protect the building from damage;
- b) if necessary, must underpin and support the adjoining building in an approved manner; and
- c) must, at least 5 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: To ensure adjoining owner's property rights are protected and protect adjoining properties from potential damage.

Asbestos Removal

C22 All demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with National Occupational Health and Safety Commission (NOHSC) (2002 1998): "Code of Practice for the Safe Removal of Asbestos."

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

Asbestos Signage

C23 On demolition sites where buildings are known to contain bonded or friable asbestos material, a standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site.

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

Erosion and sediment control devices

C24 The erosion and sediment control devices are to be maintained throughout the entire demolition, excavation and construction phases of the development.

Traffic and Parking

C25 During construction of the associated traffic access and parking, the proposed traffic arrangements shall be amended to include the following:

- a) The dimensions for unenclosed parking spaces and aisle width to be in accordance with AS 2890.1-2004. The disabled parking space dimensions to be in accordance with AS 2890.6-2009 or DCP 2005;
- b) All vehicles shall enter and exit the site in a forward direction;
- c) Driveway and internal circulation roadway width and gradient shall comply with Clause AS2890.1-2004;
- d) The redundant driveways on O'Connell Street and Albert Street, if any, are to be removed and replaced with kerb and gutter to match existing;
- e) Traffic facilities to be installed, such as; wheel stops, bollards, kerbs, signposting, pavement markings, lighting and speed humps, shall comply with AS2890.1-2004;
- f) Sight distance to pedestrians exiting the site shall be provided by clear lines of sight in a splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1. The required sight lines to pedestrians or other vehicles in or around the site should not be compromised by the landscaping, signage fences, walls or display materials;
- g) All demolition and construction vehicles are to be contained wholly within the site unless there is a written approval from the Council. All plant and equipment used in the construction of the development, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries; and
- h) Occupation of any part of footpath or road at or above (including construction and/or restoration of footpath and/or kerb and gutter) during construction of the development shall require a Road Occupancy Permit from Council. The applicant shall submit an application for a Road Occupancy Permit through Council's Traffic & Transport Services, prior to carrying out the works.

Construction Management Plan

C26 Construction shall be carried out in accordance with the approved Construction Management Plan. The plan shall ensure the provision for safe, continuous movement of traffic and pedestrians within the road reserve.

Vehicular Crossing

C27 Should a proposed Vehicular Crossing be located where it is likely to disturb or impact upon a utility installation (eg power pole, Telstra pit etc) written confirmation from the affected utility provider (eg. Integral Energy / Telstra) that they have agreed to the proposed impacts shall be recorded by the applicant.

Reason: To ensure the appropriate location of vehicular crossings.

END OF PART C, SCHEDULE 3

PART D – AFTER COMPLETION OF STAGE 1 WORKS / OR PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Tree Maintenance

- D1 All trees planted within the site must have an adequate root volume to physically and biologically support the tree. No tree within the site shall be staked or supported at the time of planting.

Reason: To ensure the trees are planted within the site area able to reach their required potential.

Waste Management Plan

- D2 A report including accompanying plans shall be submitted to the Waste Management Officer of Parramatta City Council that provides details of the private contractor that will be engaged to collect domestic waste from the site. This report shall identify the frequency of collection and provide details of how waste products including paper, aluminium cans, bottles etc, will be re-cycled. Waste collection from the site shall occur in accordance with the details contained within this report.

Reason: To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.

Waste Bins

- D3 Separate waste bins are to be provided on site for recyclable waste.

Reason: To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.

Street Numbering Application

- D4 An application for street numbering shall be lodged with Council for approval, prior to the occupation of the Stage 1 building.

Note: Notification of all relevant authorities of the approved street numbers shall be carried out by Council.

Reason: To ensure all properties have clearly identified street numbering, particularly for safety and emergency situations.

Street Numbering

- D5 A street number is to be placed on the site in a readily visible location, (numbers having a height of not less than 75mm) prior to occupation of the building within Stage 1.

Reason: To ensure a visible house number is provided.

BASIX Certificate

- D6 All design measures identified in the BASIX Certificate No. 319538M_02, are to be complied with prior to occupation.

Reason: To comply with legislative requirements of Clause 97A of the Environmental Planning & Assessment Regulation 2000.

Telecommunications

- D7 The applicant shall obtain a letter from the telecommunications company confirming that satisfactory arrangements have been made for the provision of telephone and cable television services, prior to the occupation of the building within Stage 1.

Reason: To ensure provision of appropriately located telecommunication facilities

Post Construction Dilapidation Report

- D8 The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads in the vicinity of the development site. The report must:

- a) compare the post-construction dilapidation report with the pre-construction dilapidation report;
- b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads; and
- c) carry out site inspection to verify the report and ensure that any damage to the public infrastructure as a result of the construction work have been rectified immediately by the developer at his/her cost.

A copy of this report shall be forwarded to Council.

Reason: To establish the condition of adjoining properties prior building work and any damage as a result of the building works.

Conveyancing Act 1919

- D9 A positive covenant and a restriction shall be created on the property title under the provision of the Conveyancing Act 1919, to ensure that the required on-site detention system will be adequately maintained.

***Note:** The covenant is to be submitted to Council prior to lodgement with the Land and Property Information Service of NSW. A copy of the typical covenant may be obtained from the Council's Development Services Unit.*

Landscaping

- D10 Land & Housing Corporation shall arrange for a qualified Landscape Architect/Designer to inspect the completed landscape works to certify adherence to the DA conditions. All landscape works are to be fully completed prior to the occupation of the building and shall be maintained at all times.

Reason: To ensure restoration of environmental amenity.

Road Opening Permit

- D11 Upon completion of the work, the road, road reserve, and footpath shall be reinstated to its original state to the satisfaction of Council and the cost shall be borne by the applicant.

Reason: To ensure Council's approval is obtained prior to commencement of work on council's road, road reserve and footpath and reinstated to its original state upon completion of the works.

Works-As-Executed

- D12 Works-As-Executed stormwater plans shall be submitted to Parramatta City Council, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The Works-As-Executed stormwater plans shall include:

- a) Stormwater system including On-Site Detention systems have been built according to and comply with the requirements including the OSD storage volume as shown on the approved stormwater plan;
- b) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued prior to works commencing and variations are marked in red ink;
- c) The Work-As-Executed plans have been prepared by a registered -surveyor certifying the accuracy of dimensions, levels, storage volumes, etc;
- d) As built On-Site Detention (OSD) storage volume calculated in tabular form (in incremental depth verses segmental area and volume table) and certified by the registered surveyor;
- e) OSD Works-As-Executed survey certification form and dimensions form (refer to UPRCT Handbook - Form K.1 and Form Attachment B);
- f) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook – Form 11 Certificate). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans;

- g) Approved versus installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer;
- h) Structural Engineer's Certificate for the OSD tank structure, basement pump-out tank structure, OSD basin (retaining) wall etc; and
- i) The original Work-As-Executed plans and all documents mentioned above have been submitted to Council's Development Services Unit.

Reason: To ensure works comply with approved plans.

Erosion and sediment control devices

D13 The erosion and sediment devices are to be maintained for a minimum three (3) month period after the completion of the project.

Community Engagement Plan

E14 Prior to the first tenant occupying the premises a community engagement plan shall be prepared that outlines how the applicant will endeavour to establish and maintain relationships with the local community. The applicant shall ensure that any recommendations of this community engagement plan are implemented.

END OF PART D, SCHEDULE 3

PART E – DURING OCCUPATION – STAGE 1 WORKS

Noise Compliance

- E1 Any External Plant/ air-conditioning system shall not exceed a noise level of 5 dBA above background noise level when measured at the side and rear boundaries of the property.

Reason: To minimise noise impact of mechanical equipment.

Signage

- E2 A sign, legible from the street, shall be permanently displayed to indicate that visitor parking is available on the site and the visitor car parking spaces shall be clearly marked as such.

Reason: To ensure that visitors are aware that parking is available on site and to identify those spaces to visitors.

Community Liaison Group

- E3 Within three (3) months of the first tenant occupying the premises, the applicant must establish a Community Liaison Group. The Community Liaison Group should include representatives such as NSW Police, NSW Health, Council and representatives from the local area. The group is to examine current reports of anti-social behaviour and develop strategies for ensuring residents concerns are addressed. Once established the housing provider is required to actively participate in the Community Liaison Group. The group should remain active to assist in establishing good relations within the local community, building community capacity and addressing concerns about crime.

END OF PART E, SCHEDULE 3

ADVISORY NOTES

1. The applicant is to ascertain that the existing pipe system within the subject property is not relied upon to drain any upstream system and that all possible investigation work is carried out to confirm the pipes status. It is the responsibility of the applicant to determine if any further investigation is required to confirm the status of this pipe system. The applicant shall demonstrate with further investigation work, in consultation with the Catchment Management Unit prior to the commencement of any works on the site.

Reason: To ensure that the development does not impact on drainage systems in the area.

2. 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 on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property 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, the area of operation, 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 that 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. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.

Note: *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 construction zone, 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.*

3. If a person or body representing the Crown has entered into a contract with a person who is liable to pay a long service levy in respect of the erection of a building or part of the work of erecting a building, it is the duty of the Crown instrumentality to withhold any instruction to, or permission, approval or authorisation for, the person to commence work under the contract, unless the person has produced to the Crown instrumentality evidence that the long service levy due in respect of the work concerned has been paid by the person (such as a receipt from the Corporation).
-