

## Recommendation

### APPROVAL SUBJECT TO CONDITIONS

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

- (a) **That** the Western Sydney Joint Regional Planning Panel as the consent authority grant development consent to Development Application No. DA/455/2011 for demolition and construction of a 4 storey motor showroom over a basement service centre on land at 40-72 Church Street, Parramatta for a period of five (5) years from the date on the Notice of Determination subject to the following conditions:

### General Matters:

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:

Drawing N <sup>o</sup>	Dated
<b>Cover Sheet</b> Project No. 09102 Drawing DA000 – Issue B	20/09/2011
<b>Site &amp; Analysis Plan</b> Project No. 09102 Drawing DA001 – Issue C	20/09/2011
<b>Basement 2 Plan</b> Project No. 09102 Drawing DA098 – Issue E	Undated revision
<b>Basement 1</b> Project No. 09102 Drawing DA099 – Issue E	Undated revision
<b>Ground Floor Plan</b> Project No. 09102 Drawing DA100 – Issue E	Undated revision
<b>Ground Floor Plan</b> Project No. 09102 Drawing DA100 – Issue E	Undated revision
<b>First Floor Plan</b> Project No. 09102 Drawing DA101 – Issue E	Undated revision
<b>Second Floor Plan</b> Project No. 09102 Drawing DA102 – Issue E	14/12/2011
<b>Roof Plan</b> Project No. 09102 Drawing DA103 – Issue E	14/12/2011
<b>West – Church Street Elevation</b> Project No. 09102 Drawing DA200 – Issue C	20/09/2011
<b>East – Anderson Street Elevation</b> Project No. 09102 Drawing DA201 – Issue C	20/09/2011
<b>North &amp; South Elevation</b> Project No. 09102 Drawing DA202 – Issue C	20/09/2011
<b>Streetscape Elevation</b> Project No. 09102 Drawing DA205 – Issue B	20/09/2011
<b>Sections</b> Project No. 09102 Drawing DA300 – Issue D	20/09/2011
<b>Sections</b>	20/09/2011

<b>Drawing N<sup>o</sup></b>	<b>Dated</b>
Project No. 09102 Drawing DA301 – Issue D	
<b>Detail Section</b> Project No. 09102 Drawing DA305 – Issue B	20/09/2011
<b>Church Street Photomontage</b> Project No. 09102 Drawing DA800 – Issue A	30/06/2011
<b>Anderson Street Photomontage</b> Project No. 09102 Drawing DA801 – Issue A	30/06/2011
<b>Site Management &amp; Erosion &amp; Sedimentation Control Plan</b> Job Ref: 09115-C06	24/05/2011
<b>Landscape Plan</b> Job No. 10005 Drawing No. L01 – Revision B	25/06/2011
<b>Stormwater Plans</b> Site Drainage Plan - Ground Floor, Job reference # 09115-C03-A, sheet 3 of 9, Revision “B” prepared by CPM Engineering (1 Sheet). Site Drainage Plan - Basement -1, Job reference # 09115-C04-A, sheet 4 of 9, Revision “B” prepared by CPM Engineering (1 Sheet). Site Drainage Plan - Basement -2, Job reference # 09115-C05-A, sheet 5 of 9, Revision “B” prepared by CPM Engineering (1 Sheet). Site Drainage Plan - Roof, Job reference # 09115-C06-A, sheet 6 of 9, Revision “B” prepared by CPM Engineering (1 Sheet).	13/02/2012

<b>Document N<sup>o</sup></b>	<b>Dated</b>
Access Report prepared by Accessibility Solutions (NSW) Pty Ltd	24 May 2011
Arboricultural Impact Assessment Report prepared by Tree IQ – Revision B	3 August 2011
Waste Management Plan prepared by Waste Audit & Consultancy Services	May 2011
Phase 2 Environmental Site Assessment prepared by Aargus Australia – Revision 0	10/03/2011
Schedule of Finishes	Undated
BCA Compliance Assessment Report – Report No. 2472200_RPT01-3	16/05/2011
Energy Management Strategy prepared by Vim Sustainability	22/06/2011
Acid Sulfate Soil Management Plan prepared by Aargus Australia	February 2012

**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.
2. 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.
3. No portion of the proposed structure including any fencing and/or gates shall encroach onto or over adjoining properties.  
**Reason:** To ensure that the building is erected in accordance with the approval granted and within the boundaries of the site.
4. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans and documentation submitted with the Construction Certificate are to be amended to satisfy all relevant conditions of this development consent.  
**Reason:** To ensure compliance with legislative requirements.
5. 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.
6. Demolition work shall be carried out in accordance with Australian Standard 2601-2001 - *Demolition of Structures* and the requirements of the NSW WorkCover Authority.  
**Reason:** To ensure appropriate demolition practices occur.
7. All roof water and surface water is to be connected to an approved drainage system.  
**Reason:** To ensure satisfactory stormwater disposal.
8. Occupation of any part of footpath or road at or above (including construction and/or restoration of footpath and/or kerb or gutter) 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 comply with Council requirements.
9. 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 comply with Council requirements.

10. Trees to be retained. Refer to Arboricultural Impact Assessment Report & Tree Protection Specification by Tree IQ (Project No – TRI/PAR/11 – Rev 'B') dated 3 August 2011:

Name	Common Name	Location	DBH Diameter at breast height (mm)	Tree Protection Zone (m)
<i>Jacaranda mimosifolia</i>	Jacaranda	Adjacent property	860	10.0
<i>Casuarina cunninghamiana</i>	River She-oak	Adjacent property	700	8.4
<i>Casuarina cunninghamiana</i>	River She-oak	Adjacent property	550	6.6

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

11. Trees to be pruned. Refer to Arboricultural Impact Assessment Report & Tree Protection Specification by Tree IQ (Project No – TRI/PAR/11 – Rev 'B') dated 3 August 2011 – Section 3.2. **NOTE:** Notification and agreement with the tree owner is required for access to prune the trees.

Tree No	Name	Common Name	Location
1	<i>Jacaranda mimosifolia</i>	Jacaranda	Adjacent property
3	<i>Casuarina cunninghamiana</i>	River She-oak	Adjacent property

**Reason:** To allow appropriate development of the site.

12. All approved tree removals and pruning works shall be carried out by a qualified Arborist and conform to the provisions of AS4373-2007, Australian standards for Pruning Amenity Trees and Tree work draft code of practice 2007. The developer is responsible for all tree removal and stump grinding.

**Reason:** To ensure proposed works will not adversely affect the trees

13. 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 Arboricultural Impact Assessment Report & Tree Protection Specification by Tree IQ (Project No – TRI/PAR/11 – Rev 'B') dated 3 August 2011. The trees identified on the endorsed plans and identified within the submitted Tree Report as being retained shall be protected prior to and throughout the demolition/construction process in accordance with the Arboricultural Impact Assessment Report & Tree Protection Specification by Tree IQ (Project No – TRI/PAR/11 – Rev 'B') dated 3 August 2011 and the relevant conditions of this consent.

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

14. The stormwater system shall be constructed as per the approved Stormwater plan. The approved stormwater plan consist of the following drawings together with the comments, notes and rectification requirements as annotated on the drawing and approved with this consent:
- a. "Site Drainage Plan - Ground Floor", Job reference # 09115-C03-A, sheet 3 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
  - b. "Site Drainage Plan - Basement -1", Job reference # 09115-C04-A, sheet 4 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
  - c. "Site Drainage Plan - Basement -2", Job reference # 09115-C05-A, sheet 5 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
  - d. "Site Drainage Plan - Roof", Job reference # 09115-C06-A, sheet 6 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).

Amendment to the plan shall be carried out incorporating those comments, notes and rectification equipments and the amended stormwater plan shall be submitted to the Principal Certifying Authority for approval with the application for the construction certificate.

**Reason:** To ensure satisfactory storm water disposal.

15. Retaining walls for excavation shall be constructed when cut or fill exceeds 600mm. Where necessary to prevent damage to the adjoining properties all approved retaining walls associated with the approved development are to be constructed to the construction of the ground floor.

**Reason:** To prevent damage to the adjoining properties.

16. No structure or objects shall be erected or placed permanently within the designated overland flow path, as shown on the stormwater plan which runs west to east along the southern boundary (of Lot 2 DP 734955), which will affect flood behaviour or obstruct the free flow of floodwater through the site. Erection of fencing, solid walls or structures are prohibited within the overland flow path which will affect the flood characteristics. The ground surface levels along the overland flow path shall be no higher than that shown on the approved plan.

**Reason:** To ensure obstruction-free flow of floodwater.

## **RTA Conditions**

17. The design and construction of the widened exit gutter crossing on Church Street shall be in accordance with RTA requirements. Details of these requirements should be obtained from the RTA's Project Services Manager, Traffic Projects Section, Parramatta (Ph: 8849 2114 or Fax: 8849 2766).

Any redundant driveways on Church Street shall be removed and replaced with kerb and gutter to match the existing.

Detailed design plans of the proposed gutter crossing are to be submitted to the RTA for approval prior to the commencement of any roadworks.

It should be noted that a plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant - release of the approved road design plans by the RTA.

The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work and as required by the various public utility authorities and/or their agents.

**Reason:** To comply with RTA requirements.

18. The developer is to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to the RTA for assessment. The developer is to meet the full cost of the assessment by the RTA.

This report would need to address the following key issues:

- a) The impact of excavation/rock anchors on the stability of Church Street and detailing how the carriageway would be monitored for settlement.
- b) The impact of the excavation on the structural stability of Church Street.
- c) Any other issues that may need to be addressed. (Contact: RTA's Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766).

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owners of the roadway are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

**Reason:** To comply with RTA requirements.

19. Detailed design plans and hydraulic calculations of any changes to the stormwater drainage system are to be submitted to the RTA for approval, prior to the commencement of any works.

Details should be forwarded to:  
The Sydney Asset Management  
Roads and Traffic Authority  
PO Box 973 Parramatta CBD 2124.

A plan checking fee will be payable and a performance bond may be required before the RTA's approval is issued. With regard to the Civil Works requirement please contact the RTA's Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

**Reason:** To comply with RTA requirements.

20. The existing parking restrictions are to be maintained across the full Church Street frontage of the subject site.

**Reason:** To comply with RTA requirements.

21. All works/regulatory sign posting associated with the proposed development are to be at no cost to the RTA.

**Reason:** To comply with RTA requirements.

### **Prior to the issue of a Construction Certificate:**

22. Revised plans indicating compliance with the following traffic related matters are to be submitted to the satisfaction of the PCA before the issue of the Construction Certificate:

- (a) 208 off-street parking spaces (including 2 disabled parking spaces) are to be provided, permanently marked on the pavement and used accordingly. The dimensions for parking spaces and aisle width to be in accordance with AS 2890.1-2004 (minimum of 2.4m wide x 5.4m long clear of columns plus 300mm clearance adjacent walls and 6.2m aisle width minimum. At blind aisle, the aisle is to be extended by 1.0m (minimum) beyond the last parking space).
- (b) The dimensions and configuration of the disabled parking spaces are to comply with AS 2890.6-2009 (a dedicated space plus a shared space - 2.4m wide x 5.4m long each with a bollard installed on the shared space).
- (c) 3 combined entry and exit driveways and 1 entry only driveway for car transporter trucks off Anderson Street and exit only driveway off Church Street to be provided and constructed according to AS 2890.1-2004 and Council's specification without lowering the finished ground level at the entrance of the site..
- (d) Driveway and ramp gradients are to comply with Clause 2.5, Clause 2.6 and Clause 3.3 of AS2890.1-2004.
- (e) The driveway width (w) at the concrete layback is to comply with Council's Standard Heavy Duty Vehicular Crossing plan (DS9).
- (f) Column locations are to be installed in accordance with Clause 5 and Figures 5.1 and 5.2 of AS 2890.1-2004.
- (g) Traffic facilities to be installed, such as; wheel stops, bollards, kerbs, signposting, pavement markings, lighting and speed humps, shall comply with AS2890.1-2004.
- (h) Ground Clearance Template as shown in Appendix C of AS 2890.1-2004 must be used to check that adequate ground clearance is provided on ramps, circulation roadways, access driveways or other vehicular paths where there is a grade change or an irregularity in the vertical alignment e.g. a hump, dip or gutter.
- (i) Sight distance to pedestrians exiting the property is to 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.
- (j) The minimum available headroom clearance to be signposted at all entrances is to be 2.2m (for cars and light vans including all travel paths to and from parking spaces) and 2.5m (for parking spaces for people with disabilities) measured to the lowest projection of the roof

(fire sprinkler, lighting, sign, and ventilation), according to AS 2890.1-2004 and 2890.6-2009.

- (k) A convex mirror is to be installed within the ramp access (one near the entry driveway & one at the bottom of the ramp access) with its height and location adjusted to allow an exiting driver a full view of the driveway in order to see if another vehicle is coming through.

**Reason:** To ensure appropriate access is provided.

23. An *Environmental Enforcement Service Charge* is to be paid to Council prior to the issue of a construction certificate. The fee paid is to be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

Note: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

**Reason:** To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

24. An *Infrastructure and Restoration Administration Fee* is to be paid to Council prior to the issue of a construction certificate. The fee to be paid is to be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

Note: Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

**Reason:** To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

25. A monetary contribution comprising **\$86,1360.00** is payable to Parramatta City Council pursuant to Section 94A of the *Environmental Planning and Assessment Act, 1979* and the *Parramatta City Centre Civic Improvement Plan*. Payment must be by cash, EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a construction certificate. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

**Reason:** To comply with Parramatta Section 94A Contributions Plan.

26. The Construction Certificate is not to be released unless the Principle Certifying Authority is satisfied that the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

**Reason:** To ensure that the levy is paid.

27. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. 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 and submitted to the Principal Certifying Authority prior to issue of the Construction Certificate.

**Reason:** Statutory requirement.

28. Documentary evidence confirming that satisfactory arrangements have been made with an energy provider for the provision of electricity supply to the development is to be provided to the Principal Certifying Authority prior to the issuing of any Construction Certificate. If a substation is a requirement of the energy provider, it is to be located internal to the building/s on site. Substations cannot be located within the front setback of a site or within the street elevation of the building, unless such a location has been indicated and approved on the Council stamped Development Application plans. Substations cannot be located in Council's road reserve.

**Reason:** To ensure adequate electricity supply to the development and to ensure appropriate streetscape amenity.

29. Should any proposed work be undertaken where it is likely to disturb or impact upon a public utility installation (e.g. power pole, Telstra pit sewer pipeline, water main etc) written confirmation from the affected utility provider (e.g. Integral Energy / Telstra) that they have agreed to the proposed works shall be submitted to the Principal Certifying Authority, prior to the issue of the Construction Certificate or any works commencing, whichever comes first. The arrangements and costs associated with any adjustment to a public utility installation shall be borne in full by the applicant/developer.

**Note:** Details, such as utility type, exact location(s), size, and depths below the ground surface (or reduced level in m AHD) etc. shall be obtained from the respective authority or investigated in the field and confirmed by the authority.

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

30. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifying Authority which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required, prior to the release of the Construction Certificate.

**Reason:** To minimise costs to Council.

31. Prior to the commencement of any works on the site the applicant must submit, a Construction and/or Traffic Management Plan to the satisfaction of the Principle Certifying Authority. 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,
- i. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- ii. The locations of proposed Work Zones in the egress frontage roadways,
- iii. Location of any proposed crane standing areas,
- iv. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- v. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- vi. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.

(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,
- ii. Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.

(c) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided and a copy of this route is to be made available to all contractors.

Where applicable, the plan must address the following:

- i. Evidence of RTA concurrence where construction access is provided directly or within 20m 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,

The 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.

**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.

32. Any exhaust ventilation from the car park is to be ventilated in accordance with the provisions of AS1668.1. Details demonstrating compliance are to be provided with the Construction Certificate.

**Reason:** To preserve community health and ensure compliance with acceptable standards.

33. The proponent shall submit to the Principal Certifying Authority and Council, a Construction Noise Management Plan prior to the issue of the construction certificate as described in the NSW Department of Environment, Climate Change and Water Interim Noise Construction Guidelines 2009. The Construction Noise Management Plan must describe in detail the methods that will be implemented during the construction phase of the project to minimise noise impacts on the community.

The Construction Noise Management Plan must include:

- Identification of nearby residences and other sensitive land uses
- Assessment of expected noise impacts
- Detailed examination of feasible and reasonable work practices that will be implemented to minimise noise impacts
- Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes.

**Reason:** To prevent loss of amenity to the area.

34. The reflectivity index (expressed as a percentum of the reflected light falling upon any surface) of external glazing for windows, walls or roof finishes of the proposed development is to be no greater than 20%. Written confirmation of the reflectivity index of materials is to be submitted to the Principal Certifying Authority with the construction certificate.

**Note:** The reflectivity index of glazing elements can be obtained from glazing manufacturers. Glass with mirrored or reflective foil finishes is unlikely to achieve compliance with this requirement).

**Reason:** To ensure that excessive glare or reflectivity nuisance from glazing does not occur as a result of the development.

35. Prior to the issue of a Construction Certificate the applicant shall nominate an appropriately qualified civil engineer ( at least NPER) to supervise all public area civil and drainage works to ensure that they are constructed in compliance with Council's "Guidelines for Public Domain Works".

The engineer shall:

- (a) provide an acceptance in writing to supervise sufficient of the works to ensure compliance with:
  - (i) all relevant statutory requirements,
  - (ii) all relevant conditions of development consent
  - (iii) construction requirements detailed in the above Specification, and

- (iv) the requirements of all legislation relating to environmental protection,
  - (b) On completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval and,
  - (c) Certify that the Works as Executed plans are true and correct record of what has been built.
- 36. Driveways and vehicular access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standards 2890.1 – 2004 “Off street car parking”. Details are to be provided to and approved by the Certifying Authority prior to the issue of the Construction Certificate.  
**Reason:** To ensure that parking spaces are in accordance with the approved development.
- 37. Electricity provision to the site is to be designed so that it can be connected underground when the street supply is relocated underground. Certification from Integral Energy addressing their requirements for this provision is to be provided to the Principal Certifying Authority prior to the issuing of any Construction Certificate.  
**Reason:** To enable future upgrading of electricity services.
- 38. Where any shoring is to be located on or is supporting Council’s property, or any adjoining private property, engineering drawings certified as being adequate for their intended purpose prepared by an appropriately qualified and practising structural engineer, showing all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements, shall be submitted with the Construction Certificate. A copy of this documentation must be provided to the Council for record purposes. Any recommendations made by the qualified practising structural engineer shall be complied with.  
**Reason:** To ensure the protection of existing public infrastructure and adjoining properties.
- 39. The applicant is required to submit a final Arts Plan to Parramatta City Council that details the provision of high quality artworks accessible by the public within the development prior to issue of the construction certificate. Documentation to be submitted includes design concepts, site plan for artworks, construction documentation and project management.  
**Reason:** To ensure an appropriate Arts Plan is submitted.
- 40. A revised Alignment Plan in accordance with the Parramatta City Council’s Public Domain Guidelines (in particular, Chapter 3) is to be submitted to the satisfaction of Council’s Supervisor, Civil Assets before the issue of a Construction Certificate. This plan is to reflect any new kerb and footpath levels required as part of the detailed drainage design on Council/RTA land.  
**Note:** It is noted that the submitted plan - Drawing No. 09115-CPO1 does not comply with Council’s Public Domain Guide as there are a number of cross sections that exceed 2.5% cross fall.

**Reason:** To protect and enhance the public domain.

41. A Public Domain Plan in accordance with the Parramatta City Council's Public Domain Guidelines is to be submitted to the satisfaction of Council's Supervisor, Civil Assets before the issue of a Construction Certificate.

**Reason:** To improve the public domain.

42. Access for people with disabilities from the public domain and all car parking areas on site to all tenancies within the building are to be provided. Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be prepared in consideration of, and construction completed to achieve compliance with the Building Code of Australia Part D3 "Access for People with Disabilities", provisions of the Disability Discrimination Act 1995, and the relevant provisions of AS1428.1 (2001) and AS1428.4.

**Reason:** To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

43. Toilet facilities shall be provided for disabled persons in accordance with the design criteria in AS1428.1 (2001) - Design for Access and Mobility - General Requirements for Access - New Building Work. This requirement shall be reflected on the Construction Certificate plans.

**Reason:** To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

44. Signs incorporating the international symbol of access for disabled persons must be provided to identify each accessible:

- (a) entrance
- (b) lift or bank of lifts; and
- (c) sanitary facility

This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

**Reason:** To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

45. No construction works shall start on the stormwater system until the detailed final storm water plans have been approved by the Principal Certifying Authority. Prior to the approval of storm water drainage plans, the person issuing the Construction Certificate 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 following drawings, together with the comments, notes and rectification requirements as annotated thereon and approved with this Development Consent.

- i. "Site Drainage Plan - Ground Floor", Job reference # 09115-C03-A, sheet 3 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
- ii. "Site Drainage Plan - Basement -1", Job reference # 09115-C04-A, sheet 4 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
- iii. "Site Drainage Plan - Basement -2", Job reference # 09115-C05-A, sheet 5 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).
- iv. "Site Drainage Plan - Roof", Job reference # 09115-C06-A, sheet 6 of 9, Revision "B", dated 13/02/2012, prepared by CPM Engineering (1 Sheet).

**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 submitted for Construction Certificate Approval.

- 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,
  - i) based on the 3<sup>rd</sup> edition of UPRCT's handbook are the Site Storage Requirement (SSR) of 215m<sup>3</sup>/ha and Permissible Site discharge (PSD) of 235 l/s/ha and/ or
  - ii) based on the 4<sup>th</sup> edition of Upper Parramatta River Catchment Trust's (UPRCT's) handbook as adopted by the applicant, the Site Reference Discharge (Lower Storage), SRD<sub>L</sub> of 40 l/s/ha with Site Storage Requirement (Lower Storage) SSR<sub>L</sub> of 246 m<sup>3</sup>/ha and Site Reference Discharge (Upper Storage), SRD<sub>U</sub> of 150 l/s/ha with Site Storage Requirement (Total) SSR<sub>T</sub> of 396m<sup>3</sup>/ha for undrowned orifice condition.  
Each storage area shall have site Storage capacity as shown on the on the approved stormwater plan.
- 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 are acceptable.
- e. A calculation table for available storage volume with incremental depth versus segmental area and volume has been provided.

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

46. The proposed car park at the roof top (level 3) and second floor (level 2) shall be constructed with the surface grading directed to the surface drain inlet with 150mm high kerb around the ponding area to retain and contain the stormwater temporarily to facilitate as On-Site Detention storage area, as shown on the approved stormwater plan.

**Reason:** To ensure satisfactory storm water disposal.

47. The rainwater tank structures shall be designed by a Certified Practicing Structural Engineer. Upon completion of construction, the work shall be certified by a Certified Practicing Structural Engineer to the satisfaction of the principal certifying authority. The principal certifying authority shall ensure that the designer has taken account of the structural loads, overland flow /flooding water over the tank, infiltration, stability of the tank structures, etc. Detailed long section profile of the overflow from the rainwater tank to the outlet connection point, with hydraulic grade line (HGL), surface levels, pipe material and size, pipe invert levels, pipe gradient, etc shall be prepared with the supporting documents (calculation and/or model used etc.) and submitted to Council's City Infrastructure Unit for approval prior to commencement of the work. The construction works shall be duly certified by a practicing certified Structural Engineer upon completion of the works

**Reason:** To ensure that the structural stability of the underground OSD tank structure.

48. In order to make satisfactory arrangements for the operation of the stormwater pump-out system, the system shall be designed and constructed to ensure the following are provided:

- (a) A holding tank capable of storing the run-off from a 100 year ARI - 12 hour duration storm event allowing for pump failure.
- (b) Two pump system (on alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
  - i. The permissible site discharge (PSD) rate; or
  - ii. The rate of inflow for the one hour, 5 year ARI storm event.
- (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location facing the front street at the entrance to the basement in case of pump failure.
- (d) A 100 mm freeboard to all parking spaces.
- (e) Submission of full hydraulic details and pump manufacturers specifications.
- (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

Plans and design calculations along with certification from the designer indicating that the design complies with the above requirements are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

**Reason:** To ensure satisfactory storm water disposal.

49. Prior to the issue of a Construction Certificate, longitudinal driveway sections are to be prepared by a qualified civil/traffic engineer and be submitted to and approved by the Certifying Authority. These profiles are to be at 1:100 scale along both edges of the proposed driveway and access ramp to the basement car park, starting from the centreline of the frontage street carriageway to the

proposed basement car park floor levels and the . The civil/traffic engineer shall provide specific written certification on the plans that

- Vehicular access can be obtained using grades of 20% (1 in 5) maximum and
- 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.
- The grade of the driveway NOT more than 5% at the nature strip from the kerb & gutter up to the property line. Grade Transitions with transition length of at least 2m are provided where the grade change is 12.5% or more for the Summit grade change and 15% or more for the Sag grade change.

**Note:** The driveway profile should have the surface level at the front property line higher than the top of the kerb to avoid the street runoff spilling into the property through the driveway.

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

50. Heavy-duty vehicular crossings shall be constructed in accordance with Council’s Standard Plan # DS9 & DS10. Details shall be submitted to the satisfaction of Principal Certifying Authority with the application for the Construction Certificate. A Vehicle Crossing application shall be submitted to Council together with the appropriate fee prior to any work commencing for construction of the vehicular crossing.

**Reason:** To ensure appropriate vehicular access is provided.

51. Prior to the issue of a Construction Certificate, an application is required for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment which must be obtained from Parramatta City Council. 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).

In order to apply for a driveway crossing, the relevant application form needs to be completed with supporting plans, levels and specifications and pay the appropriate fee.

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.

52. To avoid chemicals, grease and other pollutants from discharging from the development and causing harm to the environment, all cleaning, washing and degreasing of motor vehicles shall be carried out in an area set aside for the



purpose and shall be drained to a sump and cleansed via a coalescing plate separator prior to discharge into the sewer. The submission of documentary evidence is required from the Trade Waste Section of Sydney Water Corporation Ltd confirming that satisfactory arrangements have been made with the Corporation regarding the disposal of dirty water into the sewerage system, prior to the issue of the Construction Certificate.

**Reason:** To ensure appropriate disposal of waste.

53. The overflow invert of the rainwater tanks shall be at least 300mm above the 1:100years flood level at the overflow location. Further, no electrical works such as power outlet points, pumping system and associated equipment (unless it is submersible pump) shall be installed at a location lower than 500mm above 1:100 yrs Flood Level for the safety reason and to prevent damage to the plant and equipment by the flood water.

**Reason:** To prevent backflow into the tank and to prevent electrical hazard and damage to plant and equipments.

54. The *Cinnamomum camphora* (Camphor Laurel) tree located on the adjoining property at No. 74 Church Street, Parramatta is to be removed in accordance with Tree Permit TA/152/2012 issued 20 March 2012 to the satisfaction of the Principle Certifying Authority before the issue of the Construction Certificate.

**Reason:** To ensure safety.

55. Prior to the issue of a Construction Certificate, the applicant/developer is to approach the NSW Office of Environment & Heritage (formerly the Heritage Branch of the NSW Department of Planning) to satisfy any archaeological requirements for the site. This may include a further archaeological assessment or a request for an exemption permit.

A copy of the written correspondence from the NSW Office of Environment & Heritage confirming that their requirements have been satisfied shall be provided to Council and the Principal Certifying Authority prior to the issue of the construction certificate.

**Reason:** To ensure that the requirements of the NSW Office of Environment & Heritage are satisfied.

56. Drawings showing the following details, relating to final stormwater/roadwork plans, shall be submitted to Council's City Infrastructure Unit for approval prior to issue of Construction Certificate. No works, which these documents relate to, shall commence prior to granting of approval. The following details are required:

- a. The design output information and an electronic copy of the hydraulic analysis of the drainage system.
- b. Design drawings including plan(s) and longitudinal drainage sections, kerb and gutter and footpath design plans and longitudinal sections of all proposed works in Church Street and Anderson Street.
- c. The box culvert system to be designed so that it can be removed and replaced in the future without impacting on the building structure.
- d. Certification is required stating that the box culvert system has been designed (and constructed) so that it is sealed to prevent leaks from occurring.

- e. Structural certification by an experienced structural engineer that the box culvert system has been designed with a 100 year design life.
- f. The applicant shall demonstrate that the downstream channel has the capacity to receive the additional water that will be caused by the diversion of floodwaters as a result of this development as well as convey the flows indicated by the flood studies submitted with this application.

**Reason:** To ensure that the approval for the proposal and obtained prior to commencement of the works.

57. Prior to the issue of the Construction Certificate, the applicant must create of a positive covenant on the title of the subject property under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the stormwater facilities (box channel culvert and the overland flow path) on and around the lot. The positive covenant shall burden the lot (and the owner of the lot) to maintain the box culvert and overland flow path. Parramatta City Council is to be named as the Authority whose consent is required to release, vary or modify the restriction. The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW. The following documents should shall be submitted with the positive covenant to the Council:

- a. Detailed maintenance schedule of the proposed box culvert system through the site to be provided.
- b. Details of maintenance access points of entry to the box channel system to be provided.
- c. The proposed overland flow path is to be legally protected to ensure that no fencing, gates, kerbs landscape edges raised service utility boxes or other structures or obstructions are placed within the overland flow path that would block or restrict the free passage of surface flows.

**Reason:** To protect council assets and ensure free flow of stormwater/ flood water.

58. Approval from the respective authorities shall be obtained prior to the issue of the Construction Certificate. The following documents shall be submitted together with the application for approval:

- a. Detailed design drawings are to be provided to the Roads and maritime services (RMS) and to Sydney Water for their written approval of the proposed works.
- b. Traffic Management Plan is to be prepared and approved by the RMS.
- c. A Soil and Erosion Management Plan is to be prepared and approved.
- d. Written approval to enter and undertake works within private land in Anderson Street is to be obtained from the property owner(s).

**Reason:** To ensure that the approval from respective authorities are obtained.

### **Prior to Commencement of Works:**

59. The preparation of an appropriate hazard management strategy by an licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy

shall ensure any such proposed demolition works involving asbestos are carried out in accordance with the WorkCover Authority's *"Guidelines for Practices Involving Asbestos Cement in Buildings"*. The strategy shall be submitted to the Principal Certifying Authority, 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.

60. On demolition sites where buildings are known to contain bonded or friable asbestos material, a standard sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is 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 WorkCover Authority hotline or the website [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).

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

61. Prior to the commencement of demolition work a licensed demolisher who is registered with the WorkCover Authority must prepare a Work Method Statement to the satisfaction of the Principal Certifying Authority (Council or an accredited certifier) and a copy sent to Council (if it is not the PCA). A copy of the statement must also be submitted to 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.

62. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority 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.

63. 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.

64. Prior to demolition commencing, either the Principal Certifying Authority or Council's building surveyor must inspect the site. Should the building to be demolished be known or suspected by reason of the buildings age or otherwise to be found to be wholly or partly clad with bonded or friable asbestos material, approval to commence demolition will not be given until the PCA or/and Council is satisfied that appropriate measures are in place for the handling, storage, transport and disposal of the bonded or friable asbestos material. Prior to commencement of demolition an inspection fee is to be paid in accordance with Council's current fee schedule.

**Reason:** To ensure proper handling, storage, transport and disposal of asbestos materials.

65. Demolition works involving the removal, repair, disturbance and disposal of more than 10 square metres of bonded asbestos material must only be undertaken by contractors who hold the appropriate NSW WorkCover Authority licence(s) and approvals.

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

66. A Hoarding Application together with the appropriate fee and details is to be submitted to and approved by Council for the enclosure of 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. Hoardings in the City Centre Local Environmental Plan area must also address the "Parramatta First - Marketing the City Brand". Details on policy compliance and brand marketing can be obtained by contacting Council's Construction Services on 02 9806 5602.

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

67. 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.

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

- (a) appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed within 7 days; and
- (b) notify Council in writing of their intention to commence works (at least 2 days notice is required prior to the commencement of works).

The PCA must determine when inspections and compliance certificates are required.

**Reason:** To comply with legislative requirements.

69. Prior to work commencing, adequate toilet facilities are to be provided on the work site prior to any works being carried out.

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

70. The site must be enclosed with a 1.8 m high security fence to prohibit unauthorised access. The fence must be approved by the Principal Certifying Authority and be located wholly within the development site prior to commencement of any works on site.

**Reason:** To ensure public safety.

71. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) Stating that unauthorised entry to the work site is prohibited;
- (b) Showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (d) Showing the approved construction hours in accordance with this development consent.
- (e) Any such sign must be maintained while the excavation building work or demolition work is being carried out, but must be removed when the work has been completed.
- (f) This condition does not apply to building works being carried out inside an existing building.

**Reason:** Statutory requirement.

72. A Pedestrian and Traffic Management Plan must be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of demolition and/or excavation. It must include details of the:

- (a) Proposed ingress and egress of vehicles to and from the construction site
- (b) Proposed protection of pedestrians adjacent to the site
- (c) Proposed pedestrian management whilst vehicles are entering and leaving the site
- (d) Proposed route of construction vehicles to and from the site, and
- (e) The Pedestrian and Traffic Management Plan shall be implemented during the demolition, excavation and construction period.

**Reason:** To maintain pedestrian and vehicular safety during construction.

73. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Council of documentary evidence including photographic evidence of any existing damage to 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.

74. Prior to the commencement of any excavation works on site, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) a full dilapidation report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the required excavation face to twice the excavation depth.

The report should include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer as determined necessary by that qualified professional based on the excavations for the proposal and the recommendations of the geotechnical report. Where the consulting geotechnical engineer is of the opinion that no dilapidation reports for adjoining structures are required, certification to this effect shall be provided for approval by the Principal Certifying Authority prior to any excavation. A copy of the dilapidation report shall be submitted to Council.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the Principal Certifying Authority that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

**Note:** This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

**Reason:** Management of records.

75. Prior to the commencement of any excavation works on site the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report 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.
  - (c) The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property structures and road reserve if nearby (full support to be provided within the subject site).
  - (d) The existing groundwater levels in relation to the basement structure, where influenced.

- (e) The drawdown effects on adjacent properties (including road reserve), if any, the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater. Where it is considered there is the potential for the development to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path is constructed, artificial drains such as perimeter drains and through drainage may be utilised.
- (f) 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.
- (g) The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydrogeological engineer with previous experience in such investigations and reporting. It is the responsibility of the engaged geotechnical specialist to undertake the appropriate investigations, reporting and specialist recommendations to ensure a reasonable level of protection to adjacent property and structures both during and after construction. 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.
  - (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.

- 76. 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:

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

77. The approved 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](http://www.sydneywater.com.au) see Your Business then Building and Developing then Building and Renovating or telephone 13 20 92. The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to works commencing on site.

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

78. 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 received written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

**Reason:** To prevent any damage to underground utility services.

79. 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.

80. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:

- Protect and support the adjoining premises from possible damage from the excavation
- Where necessary, underpin the adjoining premises to prevent any such damage.

Note: If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

**Reason:** As prescribed under the Environmental Planning and Assessment Regulation 2000.

81. Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to be maintained throughout the entire demolition, excavation and construction phases of the development.

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

82. Council's or public property adjoining the construction site must be fully supported at all times during all excavation and construction works. Details of shoring, propping and anchoring of works adjoining Council's or public property, prepared by a qualified structural engineer or geotechnical engineer, must be submitted to and approved by the Principal certifying Authority (PCA), before the commencement of the works. A copy of these details must be forwarded to Council and relevant public authority. Backfilling of excavations adjoining Council's or public property or any void remaining at completion of construction between the building and Council's or public property must be fully compacted prior to the completion of works.

**Reason:** To protect Council's infrastructure.

83. Prior to commencement of any work on the council's road, road reserve or footpath, a Road Opening Permit must be obtained from council by lodging the application for Road Opening Permit. 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.

### **During Construction or Works:**

84. 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.

85. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction in accordance with the requirements of the NSW Department of Environment and Conservation (DEC). Dust nuisance to surrounding properties should be minimised.

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

86. No building materials skip bins, concrete pumps, cranes, machinery, signs or vehicles used in or resulting from the construction, excavation or demolition relating to the development shall be stored or placed on Council's footpath, nature strip or roadway.

**Reason:** To ensure pedestrian access.

87. 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.

**Reason:** To ensure public safety and amenity on public land.

88. 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, and 8.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

Note – Council may allow extended work hours for properties located on land affected by Parramatta City Centre LEP 2007 in limited circumstances and upon written application and approval being given by Parramatta City Council at least 30 days in advance.

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.

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

89. 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.

The complaints register shall be made available to Council and/ or the principal certifying authority upon request.

90. Noise emissions and vibration must be minimised and work is to be carried out in accordance with the NSW Department of Environment, Climate Change & Water's Interim Noise Construction Guidelines 2009 for noise emissions from construction/demolition and earth works.

**Reason:** To ensure residential amenity is maintained in the immediate vicinity.

91. Where demolition is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the Department of Environment and Climate Change (DECC) licensed waste facility for bonded or 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.

92. All bonded and friable asbestos waste material on-site shall be handled and disposed off-site at a Department of Environment and Climate Change licensed waste facility by an DECC licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 1996 and the EPA publication Assessment, Classification and Management of Liquid and Non-Liquid Wastes 1999 and any other regulatory instrument as amended.

**Reason:** To ensure appropriate disposal of asbestos materials.

93. 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 proponent 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.

94. 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.

95. The applicant is to notify Council in writing thirty (30) days before the commencement of remediation work.

**Reason:** To ensure compliance with clause 16 of State Environmental Planning Policy 55 - Remediation of Land.

96. Any soils requiring removal from the site should be classified in accordance with the "Waste Classification Guidelines, Part 1: Classifying Waste" NSWDEC (2009).

**Reason:** To ensure appropriate disposal of waste.

97. If during any potential site works, significant odours and / or evidence of gross contamination not previously detected are encountered, or any other significant unexpected occurrence, site works should cease in that area, at least temporarily, and the environmental consultant should be notified immediately to set up a response to this unexpected occurrence.

**Reason:** To ensure appropriate disposal of waste.

98. Acid sulphate soils are to be managed in accordance with the recommendations outlined within the Acid Sulfate Soils Management Plan (and Management Strategy) prepared by Aargus Australia dated February

2012. Appropriate certification that the recommendations have been implemented is to be submitted to the satisfaction of the Principal Certifying Authority before the issue of the Occupation Certificate.

**Reason:** To protect the amenity of future occupants of the site and adjoining properties.

99. 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.

100. The vehicular entry/exits to the site within Council's road reserve must prevent sediment from being tracked out from the development site. This area must be laid with a non-slip, hard-surface material which will not wash into the street drainage system or watercourse. The access point is to remain free of any sediment build-up at all times.

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

101. Any damage to Council assets that impact on public safety during construction is to be rectified immediately to the satisfaction of Council at the cost of the developer.

**Reason:** To protect public safety.

102. 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:  
Eg. 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.
- (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 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.

**Reason:** Proper management of public land.

103. If an excavation associated with the erection or demolition of a building extends below the level of the base of the footings of a building on an adjoining allotment of land, excavation activity shall NOT commence until the applicant demonstrate that structural /geotechnical engineer's certificate and "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 submitted to and approved by the principal certifying authority (PCA). 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 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.

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 also 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.

104. All tree removals shall be carried out by a qualified Arborist 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.

105. 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.

106. 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

107. No service, structure, conduit or the like shall be fixed or, attached to any tree.  
**Reason:** To ensure the protection of the tree(s).

### **Prior to the issue of an Occupation Certificate:**

108. An application for street numbering shall be lodged with Council for approval, prior to the issue of a Subdivision Certificate, which ever occurs first.

**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.

109. 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.

**Reason:** To ensure a visible house number is provided.

110. The developer shall submit to the Principal Certifying Authority 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 release of the Subdivision Certificate or issuing of any Occupation Certificate.

**Reason:** To ensure provision of appropriately located telecommunication facilities.

111. Occupation or use, either in part of full, is not permitted until an Occupation Certificate has been issued. The Occupation Certificate must not be issued unless the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia and until all preceding conditions of this consent have been complied with.

Where Council is not the Principal Certifying Authority, a copy of the Occupation Certificate together with registration fee must be provided to Council.

**Reason:** To comply with legislative requirements.

112. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority that is responsible for critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. Where Council is not the PCA, the PCA is to forward a copy of all records to Council.

The record must include details of:

- (a) the development application and Construction Certificate number;
- (b) the address of the property at which the inspection was carried out;
- (c) the type of inspection;
- (e) the date on which it was carried out;

- (f) the name and accreditation number of the certifying authority by whom the inspection was carried out; and
- (g) whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

**Reason:** To comply with legislative requirements.

113. Car parking and driveways shall be constructed, marked and signposted in accordance with AS2890.1 –2004 prior to the occupation of the premises.

**Reason:** To ensure appropriate car parking.

114. 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. The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

- compare the post-construction dilapidation report with the pre-construction dilapidation report, and
- have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

A copy of this report is to 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.

115. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” icon or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

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

116. All works approved within the Public Domain Plan are to be carried out to Council’s satisfaction before the issue of an Occupation Certificate.

**Reason:** To ensure public domain works are complete.

117. The artworks are to be installed to the satisfaction of Council prior to the issue of the occupation certificate.

**Reason:** To ensure that the Arts Plan is implemented appropriately.

118. The Certifying Authority shall arrange for a qualified Landscape Architect/Designer to inspect the completed landscape works to certify adherence to the DA conditions and Construction Certificate drawings. All landscape works are to be fully completed prior to the issue of an Occupation Certificate.

**Reason:** To ensure restoration of environmental amenity.



119. The landscaping shall be completed in accordance with the consent and approved plans, prior to occupation or use of the premises and shall be maintained at all times.  
**Reason:** To ensure landscaping is completed in accordance with the approved plans and maintained.
120. Any mechanical ventilation system/s installed shall be in accordance with plans and specifications approved by the principal certifying authority (PCA). Certification that the system/s function in accordance with Australian Standard AS 1668 (Parts 1 & 2) must be submitted to the PCA prior to occupation of the building.  
**Reason:** To comply with the Building Code of Australia / relevant Australian Standard.
121. The building must comply with the Category 1 Fire Safety Provision applicable to the proposed use prior to the issue of the Occupation Certificate:  
**Reason:** To comply with legislative requirements of the Environmental Planning & Assessment Act 1979 an Environmental Planning and Assessment Regulations 2000.
122. All redundant laybacks and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate in accordance with Council's **Standard Plan No. DS1**. All costs shall be borne by the applicant, and works shall be completed to the satisfaction of Council prior to the issue of an Occupation Certificate.  
**Reason:** To provide satisfactory drainage.
123. The existing lots shall be consolidated into one (1) lot and the plan of consolidation registered at the NSW Department of Lands. Proof of registration shall be submitted prior to issue of the Occupation Certificate.  
**Reason:** To ensure consolidation occurs and comply with the *Conveyancing Act 1919*.
124. Under the provisions of section 88B of the Conveyancing Act 1919 a **15m** wide drainage easements shall be created along the Southern boundary and south eastern corner of **Lot 2 in DP734955** as shown on the stormwater plan, in favour of Parramatta City Council, to allow for:
- v. The provision of the proposed Box culvert along the Southern boundary of **Lot 2 in DP734955** that is to replace existing council's Stormwater pipe running through the middle of the lot.
  - vi. A **15m** wide proposed floodwater overland flow path, along the Southern boundary of **Lot 2 in DP734955** that is to replace existing natural overland flow path running through the middle of the lot.
- The plan of easement shall show the extent of the easement, location of pipeline and size. Proof of registration of the drainage easements with the NSW Department of Lands, must be provided to the Council by the Principal Certifying Authority, prior to the issue of the Occupation Certificate.  
**Reason:** To ensure an appropriate Drainage easement is in place and council asset are protected.

125. Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The person issuing the Occupation Certificate shall ensure that:

- 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.
- The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate and variations are marked in red ink.
- The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- 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.
- OSD Works-As-Executed survey certification form and dimensions form (refer to UPRCT Handbook - Form B10 and Form Attachment B).
- Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook – **Form B11** Certificate). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- Approved verses installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- Structural Engineer's Certificate for the OSD tank structure, basement pump-out tank structure, OSD basin (retaining) wall etc.
- 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.

126. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88B instrument for protection of on-site detention facilities and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on a scale sketch or a works as executed plan, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

**Note:** The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW. Documents relating proof of completion of the stormwater system

according to the approved stormwater plan and certification of the compliance shall be submitted to the council together with the positive covenant and restriction.

**Reason:** To ensure maintenance of on-site detention facilities.

127. Prior to the issue of the Occupation Certificate, the applicant must create of a restriction-on-use on the title of the subject property. The restriction is to be over the 100 year ARI flood zone, i.e. the 15m wide overland flow path and shall be identified on the accompanying linen plan, and must prevent the placement of any structures, walls, fences, fill or other items which may impede the 100 year ARI flood, within that zone. Parramatta City Council is to be named as the Authority whose consent is required to release, vary or modify the restriction. The accompanying document should include a copy of the approved flood evacuation plan and procedure.

**Reason:** To protect the environment and ensure that the flood storage area is not obstructed.

### **Use of the Site:**

128. The hours of operation being restricted to the following:

(a) Motor Showroom  
8.30am to 6pm Monday to Friday, 8am to 6pm Saturday and 9am to 5.30pm Sunday

(b) Vehicle Service Area  
7am to 6pm Monday to Saturday.

**Reason:** To confirm the details of the application.

129. A maximum of 33 hoists are to be on the site at any one time.

**Reason:** To confirm the details of the application.

130. 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.

131. The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.

**Reason:** To ensure the removal of graffiti.

132. All vehicles are to enter and leave the site in a forward direction.

**Reason:** To avoid traffic and pedestrian conflict.

133. All loading and unloading shall take place within the designated loading areas on the subject property. No loading or unloading of vehicles is to be carried out on Church Street or the adjoining local road network.

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

134. To preserve the streetscape, roller shutters are not to be placed over the entrance or the windows of the commercial premises. Any security grill is to

be located on the inside of the glass shop front and must be an open grille and see through.

**Reason:** To provide an appropriate streetscape appearance.

135. A waste storage room provided on the premises, capable of accommodating all garbage, stored liquid, recyclable wastes and associated containers arising from the use of the premises, and accessible by waste collection contractors. Disposal of wastes from the premises shall comply with the approved waste management plan.

All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

**Reason:** To ensure provision of adequate waste disposal arrangements.

136. Sufficient supplies of appropriate absorbent materials and /or other spill clean up equipment shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods only.

**Reason:** To ensure that any liquid spills can be contained on site and prevent the contamination of stormwater drains.

137. Servicing, detailing and repairs of vehicles or the storage of vehicle parts are to be conducted in a bunded area within an automotive service workshop. Vehicles awaiting repair, under repair or awaiting delivery, shall not be stored, parked, or otherwise permitted to stand in a public street. All such vehicles shall be accommodated within the premises.

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

138. An environmental policy and plan shall be drafted for the facility to cover all operations. The policy should establish a commitment to the protection of the environment and the prevention of pollution. This policy shall be signed and dated by the manager and displayed for review by employees, contractors, visitors and customers.

**Reason:** To ensure that the business establishes a commitment to the protection of the environment.

139. Council being the 'appropriate regulatory authority' must be notified immediately of any pollution incident where material harm to the environment is caused or threatened. This duty extends to persons carrying on an activity, employers and employees, contractors and the occupier of the premises where the incident occurs.

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

140. A trade waste agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'. Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund.

**Reason:** To ensure proper disposal of waste water.

141. Covered, bunded work areas, including workshops and lube bays, are to be graded into collection sumps and/or grated drains so that surface effluent generated within the workshop area is directed into a dedicated drainage system for treatment, storage and disposal and/or reuse. If liquid wastes are to be disposed of to the sewer, a trade waste agreement from Sydney Water is to be obtained. A copy of the license is to be forwarded to Council's Environment and Health Unit as proof of appropriate disposal. Alternatively, disposal of waste is to be conducted in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environment Protection Authority's Waste Regulation under The Protection of the Environment Operations Act 1997 (NSW).  
**Reason:** To ensure the proper disposal of waste water.
142. Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 1996 and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).  
**Reason:** To prevent pollution of the environment.
143. All liquid wastes (generated by mechanical servicing of vehicles) shall be stored in a covered ventilated, sealed and bunded area constructed of impervious material and designed to hold the contents of the largest container plus 10 %.  
**Reason:** To prevent pollution of the stormwater system.
144. Liquid and solid wastes generated on site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).  
**Reason:** To prevent pollution of the environment.
145. All aboveground storages of hazardous materials, oils and chemicals are to be bunded. The bund is to be made of any impervious material and should be roofed and large enough to hold the contents of the largest container plus 10%.  
**Reason:** To ensure that hazardous materials are correctly contained.
146. To ensure correct handling of hazardous materials, Material Safety Data Sheets (MSDS) must be held at the facility for all hazardous materials. These can be obtained free of charge from the supplier.  
**Reason:** To ensure compliance with the Occupational Health & Safety Act 2000 & Regulations
147. The open parking area(s) must drain to a stormwater treatment device capable of removing litter, oil, grease and sediment prior to discharge to the stormwater system, complying with:

- Environment Protection Authority's Environment Protection Manual for Authorised Officers: Technical Section (Stormwater First Flush Pollution); and
- Environment Protection Authority's Managing Urban
- Environment Protection Authority's Managing Urban Stormwater: treatment techniques (1997).

The stormwater treatment device(s) are to be maintained on a regular basis to ensure their functionality. All solid and liquid wastes collected from the device are to be disposed of in accordance with Protection of the Environment Operations Act 1997.

**Reason:** To prevent pollution of waterways.

148. The operation of the premises is to be conducted in a manner which does not pollute waters as defined by the Protection of the Environment Operations Act 1997.

**Reason:** To ensure that stormwater drains are not polluted.

149. Sign(s) shall be displayed and maintained adjacent to all stormwater drains on the premises, clearly indicating 'stormwater only'.

**Reason:** To promote awareness for the protection of waterways.

150. All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the Protection of the Environment Operations Act 1997.

**Reason:** To ensure effective operation of equipment.

151. The use of the premises not giving rise to:
- a. transmission of unacceptable vibration to any place of different occupancy
  - b. a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW EPA's Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.

**Reason:** To prevent loss of amenity to the area.

152. The operation of the premises not giving rise to emissions of air impurities in contravention of the Protection of the Environment Operations Act 1997. Air emissions from the premises must not cause a nuisance from odours, nor be hazardous to human health or the environment.

**Reason:** To prevent loss of amenity to the area.

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

**Reason:** To reduce noise levels.

### **Advisory Notes:**

- (a) Notification and agreement with the adjoining property (tree owner) is required for access to prune the trees in the adjacent property at No. 74 Church Street, Parramatta before any pruning works commence.
  - (b) All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site from Church Street before stopping. A construction zone will not be permitted on Church Street.
  - (c) A Road Occupancy Licence should be obtained from the RTA for any works that may impact on traffic flows on Church Street during construction activities.

**Reason:** To comply with RTA requirements.
  - (d) All costs associated with the proposed development shall be at not cost to the RTA or Council.
  - (e) The building approved as part of this consent may be subject to flooding during storm events greater than the 1:100 year ARI.
  - (f) That the Sydney Metropolitan Development authority in conjunction with Parramatta Council is preparing a growth strategy for the Auto Alley precinct as identified by the Urban Renewal SEPP that may permit additional FSR and height over the site. Given this the applicant may wish to design the building so that it could cater for additional structural weight.
- (b) **Further that** a copy of the determination of the application be forwarded to the Roads & Maritime Services (former RTA).