

## 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> Drawing No. DA-A-001 – Issue 8	15/03/2012
<b>Site Plan</b> Drawing No. DA-A-002 – Issue 8	15/03/2012
<b>Site Analysis</b> Drawing No. DA-A-003 – Issue 8	15/03/2012
<b>Ground Floor Plan</b> Drawing No. DA-D-001 – Issue 8	15/03/2012
<b>Level 2</b> Drawing No. DA-D-002 – Issue 8	15/03/2012
<b>Level 3</b> Drawing No. DA-D-003 – Issue 8	15/03/2012
<b>Level 4</b> Drawing No. DA-D-004 – Issue 8	15/03/2012
<b>Level 5</b> Drawing No. DA-D-005 – Issue 8	15/03/2012
<b>Level 6</b> Drawing No. DA-D-006 – Issue 8	15/03/2012
<b>Level 7</b> Drawing No. DA-D-007 – Issue 8	15/03/2012
<b>Level 8-19 Typical Plan</b> Drawing No. DA-D-008 – Issue 8	15/03/2012
<b>Adaptable Apartment Type 19</b> Drawing No. DA-D-009 – Issue 8	15/03/2012
<b>Roof Plan</b> Drawing No. DA-D-020 – Issue 8	15/03/2012
<b>Basement Level 01 Plan</b> Drawing No. DA-D-101 – Issue 8	15/03/2012
<b>Basement Level 02 Plan</b> Drawing No. DA-D-102 – Issue 8	15/03/2012
<b>Basement Level 03 Plan</b> Drawing No. DA-D-103 – Issue 8	15/03/2012
<b>North Elevation</b> Drawing No. DA-E-001 – Issue 8	15/03/2012
<b>East Elevation</b> Drawing No. DA-E-002 – Issue 8	15/03/2012
<b>South Elevation</b> Drawing No. DA-E-003 – Issue 8	15/03/2012
<b>West Elevation</b> Drawing No. DA-E-004 – Issue 8	15/03/2012
<b>Section AA</b>	15/03/2012

<b>Drawing N<sup>0</sup></b>	<b>Dated</b>
Drawing No. DA-F-001 – Issue 8	
<b>Section BB</b> Drawing No. DA-F-002 – Issue 8	15/03/2012
<b>Materials Selection</b> Drawing No. DA-Z-005 – Issue 8	15/03/2012
<b>Landscaping Drawings</b> Ground Level 01 – Revision D Level 02 – Revision C Level Two Section 03 – Revision C Ground Level – Deep Soil Zones 04 – Revision B Level Two – Deep Soil Zones 05 – Revision A	Undated
<b>General Alignment Plan</b> Job No. C0090190 Drawing C2-00 Revision D Job No. C0090190 Drawing C3-40 Revision B	06/03/2012 06/03/2012
<b>Engineering Plans</b> Drawing List, General Notes & Locality Plan, Drawing No. C0-00, Revision B, prepared by Smart Civil Pty Ltd (Engineering Consultant).  On – Site Stormwater Detention Tank Details, Drawing No. C4-30, Revision A, prepared by Smart Civil Pty Ltd.  Erosion & Sediment Control Plan, Drawing No. C1-10, Revision B, prepared by Smart Civil Pty Ltd.  Civil Works Details, Drawing No. C3-80, Revision B, prepared by Smart Civil Pty Ltd.	21/09/2011  21/09/2011  21/09/2011  21/09/2011

<b>Document N<sup>0</sup></b>	<b>Dated</b>
Access Review Report prepared by Morris-Goding Accessibility Consulting – Final V4	26/09/2011
Waste Management Plan prepared by JD Macdonald	Sept 2011
Basix Certificate No. 390452M	29/09/2011
Wind Assessment – CPP Project:6186 prepared by Cermak Peterka Petersen	Sept 2011
Noise Assessment Report Document No. 20110794.1/2208A/R0/JZ – Revision 0 prepared by Acoustic Logic dated.	22/08/2011

**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. Service ducts shall be provided within the building to keep external walls free of plumbing or any other utility installations. Such service ducts are to be concealed from view from the street.  
**Reason:** To ensure the quality built form of the development.
7. Security doors to the apartment lift lobbies shall be provided. Doors should be provided close to the building line to avoid deep recessed spaces and discourage anti social behaviour.  
**Reason:** To ensure an appropriate level of security for occupants.
8. All roof water and surface water is to be connected to an approved drainage system.  
**Reason:** To ensure satisfactory stormwater disposal.
9. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600 mm in height or within 900 mm of any property boundary.  
**Reason:** To minimise impact on adjoining properties.
10. 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.

11. Prior to commencement of any excavation work on council's road, nature strip or concrete footpath, a Road Opening Permit shall be obtained from council by lodging the application for a Road Opening Permit. Upon completion of the work, the road, the nature strip, and concrete footpath shall be reinstated to its original state to the satisfaction of Council.

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

12. 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.

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

13. 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 Construction Certificate.

**Reason:** To ensure consolidation occurs.

14. 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) A minimum of 274 off-street parking spaces (256 spaces for residents in 3 basement levels including 26 disabled parking spaces; 9 spaces for commercial/retail component; 9 spaces along the 'Shared Zone' in a 'One-Way' roadway - northerly direction between Union Street and George Street) 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 5.8m aisle width minimum. At blind aisle, the aisle is to be extended by 1.0m (minimum) beyond the last parking space).
- b) Parking space numbers 46, 51, 56, 82, 86, 93, 128, 132, 137, 142, 171, 175, 182, 217, 222, 227, 232 and 262 are to be modified to comply with the dimensions and configuration of the disabled parking spaces in accordance with Figure 2.3 or 2.3 of 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) 62 bicycle spaces and 21 motorcycle parking spaces are to be provided as shown on the plans and to be used accordingly.

- d) The 2 parking spaces marked as 'small car bay' are acceptable provided that these spaces will be marked as such on the pavement.
- e) All traffic within the basement level parking areas is to be marked on the pavement by directional arrows.
- f) Loading and unloading activities are to be carried on site with the largest delivery vehicle being a medium rigid vehicle.
- g) Access into and out of the site is provided off Union Street via 3 driveways are to be provided and constructed according to AS 2890.1-2004 and Council's specification as follows:
  - Combined entry and exit driveway on the western end of the property close to Argus Lane (7m wide with 300mm clearance both sides between kerbs) to the commercial/retail areas and loading dock. The access driveway to the parking area is 5.6m wide.
  - An entry only driveway (3.5m wide with 300mm clearance both sides between kerbs) 'One-Way traffic in a northerly direction' via a private laneway 'Shared Zone' near the eastern end of the property.
  - Combined entry and exit driveway (5.5m wide with 300mm clearance both sides between kerbs) on the eastern end of the property to the basement level parking areas.
- h) Driveway and ramp gradients are to comply with Clause 2.5, Clause 2.6 and Clause 3.3 of AS2890.1-2004.
- i) The driveway width (w) at the concrete layback is to comply with Council's Standard Vehicular Crossing plan (DS8) and Heavy Duty Vehicular Crossing plan (DS9).
- j) "Shared zone speed limit signs' in accordance with the Roads and Traffic Authority and Austroads Guide to Traffic Management are to be installed and approved by the RTA. The applicant is to submit an application to the Roads and Traffic Authority for approval to install "Shared Zone Limit" signs along the private laneway.
- k) Column locations are to be installed in accordance with Clause 5 and Figures 5.1 and 5.2 of AS 2890.1-2004.
- l) Traffic facilities to be installed, such as; wheel stops, bollards, kerbs, signposting, pavement markings, lighting and speed humps, shall comply with AS2890.1-2004.
- m) 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.
- n) 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.
- o) 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.

- p) A convex mirror is to be installed within the ramp access at each basement level (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.

15. 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.

16. 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.

17. A monetary contribution comprising **\$2,249,801.65** 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 Council's Section 94A Contributions Plan.

18. 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.

19. 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.

20. Residential building work, within the meaning of the Home Building Act 1989, must not be carried out unless the Principal Certifying Authority for the development to which the work relates fulfils the following:

- (a) In the case of work to be done by a licensee under the Home Building Act 1989; has been informed in writing of the licensee's name and contractor licence number; and is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989, or
- (b) In the case of work to be done by any other person; has been informed in writing of the person's name and owner-builder permit number; or has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

**Note:** A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purpose of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

**Reason:** To comply with the Home Building Act 1989.

21. Prior to the issue of a construction certificate a further report including accompanying plans shall be submitted to the satisfaction of the Principal Certifying Authority that provides details of the private contractor that will be engaged to collect domestic waste from the site. If Council is not the principal certifying authority a copy of this report and accompanying plans is required to be provided to Council. This report shall identify the frequency of collection and provide details of how waste products including paper, aluminium cans, bottles etc, will be re-cycled. Waste collection from the site shall occur in accordance with the details contained within this report.

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

22. Separate waste bins are to be provided on site for recyclable waste. The specific number of bins shall be determined in consultation with Council's Public Health Protection Officer.

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

23. Prior to the release of the Construction Certificate design verification is required to be submitted from a qualified architect to confirm the development is in accordance with the approved plans and details and continues to satisfy the design quality principles in State Environmental Planning Policy No-65. Design Quality of Residential Flat Development.

**Note:** Qualified architect in this condition is as per the definition in SEPP 65.

**Reason:** To comply with the requirements of SEPP 65

24. 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.

25. The existing Sydney Water sewer lines traversing through the development site shall be relocated to enable the basement construction. In this regard 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.

26. No work shall start on the storm water 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 drainage plans are consistent with the following approved drainage related concept plans:



- Drawing List, General Notes & Locality Plan, Drawing No. C0-00, Revision B, dated 21/09/2011, prepared by Smart Civil Pty Ltd (Engineering Consultant).
- On – Site Stormwater Detention Tank Details, Drawing No. C4-30, Revision A, dated 21/09/2011, prepared by Smart Civil Pty Ltd.
- General Arrangement Plan, Drawing No. C2-00, Revision B, dated 21/09/2011, prepared by Smart Civil Pty Ltd, prepared by Smart Civil Pty Ltd.
- Erosion & Sediment Control Plan, Drawing No. C1-10, Revision B, dated 21/09/2011, prepared by Smart Civil Pty Ltd.
- Civil Works Details, Drawing No. C3-80, Revision B, dated 21/09/2011, prepared by Smart Civil Pty Ltd.

(Please Note: The DA approved Concept drainage Plans are concept in nature only and not to be used as construction drawings).

- b. The proposed On-Site Detention (OSD) Systems have been designed 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. Detailed drainage plans with cross sectional details of OSD storage tank in relation to the rainwater tank; pits, connections etc, OSD Detailed Design Submission and OSD Detailed Calculation Summary Sheet for the detention system are submitted. Consideration is also given to provide adequate cross ventilation facilities to the OSD tank. In this regard the proposed sealed access covers may be converted into open grated covers. All access covers to the OSD / rainwater tanks are secured with child proof locking devices.
- d. Structural details and a Certificate of Structural Compliance of the proposed underground tank, cover slab and the rain water tank associated with the development and OSD system shall be included with the final drawings submitted with the Construction Certificate application.

**Reason:** To minimise the quantity of storm water run-off from the site, surcharge from the existing drainage system and to manage downstream flooding. Also to ensure the underground tank and associated cover slabs and walls are structurally adequate.

27. A pumped drainage system shall be installed under the lowest basement floor level during the excavation process. Appropriate drainage points shall be constructed along the perimeter cut-off walls to direct seepages into a collection point for pumping out. Details of the dewatering system shall be included with the final drainage plans submitted to the Principal Certifying Authority, with the Construction Certificate application.

**Reason:** To ensure adequate dewatering system is in place to manage any on going seepage at the basement floors.

28. The final building construction designs, foundations and the excavation method proposed for the development shall comply with the Geotechnical and

Hydro geological Assessment Report, dated 19 August 2008, prepared by Mark George, Engineering Geologist of Coffey Geotechnics (Specialists Managing the Earth). Prior to the approval of the Construction Plans, the person issuing the Construction Certificate shall ensure the final plans have been complied with the requirements and recommendations outlined in the Geotechnical Report.

**Reason:** To ensure compliance with the Geotechnical Report.

29. 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.

30. 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 20 m of an Arterial Road,
- ii. A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
- iii. Minimising construction related traffic movements during school peak periods,

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.

31. In order to maximise visibility in the basement carpark, the ceiling shall be painted white. This requirement shall be reflected on the Construction Certificate plans.

**Reason:** To protect public safety.

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 plan must be approved by the Principal Certifying Authority and the applicant must comply with the approved plan.

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, longitudinal driveway sections are to be prepared by a qualified civil/traffic engineer and be submitted for to and approved by the Certifying Authority. These profiles are to be at 1:100 scale along both edges of the proposed driveway, starting from the centreline of the frontage street carriageway to the proposed basement floor level. The civil/traffic engineer shall provide specific written certification on the plans that:
- a. Vehicular access can be obtained using grades of 25% (1 in 4) maximum and
  - b. All changes in grade (transitions) comply with Australian Standard 2890.1 (2004) – “Off-street car parking” to prevent the scraping of the underside of the vehicles.

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

36. 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.
37. Council 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 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. Backfilling of excavations adjoining Council property or any void remaining at completion of construction between the building and Council property must be fully compacted prior to the completion of works.  
**Reason:** To protect Council's infrastructure.
38. 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.
39. The applicant is required to submit all additional documentation to Council that details the realisation of the Arts/Interpretation Plan through design concepts, site plan for artworks, construction documentation and project management prior to issue of the construction certificate.  
Note: The applicant will be required to engage a Heritage Interpretation Specialist to prepare a heritage interpretation concept plan that addresses the treatments and accessibility of the artwork.  
**Reason:** To ensure an appropriate Arts Plan is submitted.
40. A Public Domain Plan in accordance with the Parramatta City Council's Public Domain Guidelines is to be submitted to the satisfaction of Council before the issue of a Construction Certificate.  
Notes:  
(a) The plan shall clearly indicate site levels, elevations and sections (where necessary) as well as explanation of all materials, paving types etc and to include:
  - Materials and finishes of all paved areas/hard surfaces/footpaths around the perimeter of the building in accordance with the requirements of the relevant Council public domain policy for the City Centre and the relevant design standards;
  - Location, numbers, spacing and types of street trees in accordance with Council's street tree policy for the city centre;
  - Street tree planting specifications;  
(b) Street lighting should be provided to Argus Lane to meet AS/NZS 1158.1 Part 1 Vehicular traffic (Category V) lighting – performance and design requirements. The recommended light fitting is 12vdc Green Street Light fitting with lamp to meet P2 category for pedestrians along the laneway. The pole is to be INGAL GPS.

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

41. 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.

42. 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.

43. 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.

44. Deleted.

45. Acoustic measures are to be incorporated within the design in accordance with the recommendations outlined within Section 6 of the Noise Assessment Report Document No. 20110794.1/2208A/R0/JZ – Revision 0 prepared by Acoustic Logic dated 22 August 2011. These measures are to be reflected within the Construction Certificate. Appropriate certification that the works have been carried out and comply with the recommendations of the acoustic report is to be submitted to the satisfaction of the Principal Certifying Authority before the issue of the Occupation Certificate. The certification is to be undertaken by an independent acoustical engineer/scientist.

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

46. 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.

- 46(a). Plans submitted with the Construction Certificate shall illustrate that an intercom system is provided on the Union Street access point to the at grade residential visitor parking. The intercom system is to be connected to all residential apartments.

**Reason:** To ensure efficient operation of the visitor parking area.

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

47. 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.

48. 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.

49. 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.

- 50. 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.

- 51. The site must be enclosed with a 1.8m 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.

- 52. 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.

- 53. 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.



54. 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.

55. Prior to commencement of works the applicant shall advise Council in writing, of any existing damage to Council property. A dilapidation survey of Council's assets, including photographs and written record, must be prepared and submitted to the Principal Certifying Authority and Council (if Council is not the PCA) 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 protect Council's assets throughout the development process.

56. 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.

57. 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.

58. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to receive written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having 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.

59. 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 person's 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.

60. 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.

## During Construction or Works:

61. 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.

62. 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.

63. 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.

64. 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.

65. 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.

66. 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 affect;
- (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.

67. 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.

68. 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.

69. 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 be site works commence.

70. 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.

71. 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.

72. 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, 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 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.

73. All trees planted within the site must have an adequate root volume to physically and biologically support the tree. No tree within the site is to be staked or supported at the time of planting.  
**Reason:** To ensure the trees are planted within the site area able to reach their required potential.
74. Any remediation works shall be carried out in accordance with clauses 17 and 18 of State Environmental Planning Policy 55 - Remediation of Land.  
**Reason:** To comply with the statutory requirements of State Environmental Planning Policy 55.
75. 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.
76. The applicant is to notify Council in writing thirty (30) days before the commencement of any remediation work.  
**Reason:** To ensure compliance with clause 16 of State Environmental Planning Policy 55 - Remediation of Land.
77. All works are to be carried out in accordance with the recommendations outlined within the document entitled "*Submission of previous geotechnical, environmental and hydrogeological reports for proposed residential development*" prepared by Coffey Geotechnics dated 29 September 2011. Appropriate certification that the works have been carried out in accordance with the recommendations of the this document is to be submitted to the satisfaction of the Principle Certifying Authority before the issue of the Occupation Certificate.  
**Reason:** To protect the amenity of the future occupants of the site and adjoining properties.
78. A survey certificate is to be submitted to the Principal certifying Authority at footing and/or formwork stage. The certificate shall indicate the location of the building in relation to all boundaries, and shall confirm the floor level prior to any work proceeding on the building.  
**Reason:** To ensure the development is being built as per the approved plans.

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

79. 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.

80. 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.
81. 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.
82. Under Clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. 390452M dated 29 September 2011 will be complied with prior to occupation.  
**Reason:** To comply with legislative requirements of Clause 97A of the Environmental Planning & Assessment Regulation 2000.
83. Acoustic measures are to be carried out in accordance with the recommendations outlined within Section 6 of the Noise Assessment Report Document No. 20110794.1/2208A/R0/JZ – Revision 0 prepared by Acoustic Logic dated 22 August 2011. Appropriate certification that the works have been carried out and comply with the recommendations of the acoustic report is to be submitted to the satisfaction of the Principle Certifying Authority before the issue of the Occupation Certificate.  
**Reason:** To protect the amenity of the future occupants of the site and adjoining properties.
84. Occupation or use, either in part or 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.

85. 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.
86. 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.
87. 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.
88. A Notification Agreement outlining the electrical construction requirements and associated fees shall be obtained from an energy provider prior to the release of the linen plans.
- Reason:** To ensure electricity supply is available to all properties.
89. 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 the following documentation is completed and submitted:
- 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 (depth verses volume table).
  - OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
  - Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
  - Approved verses installed Drainage Design (OSD) Calculation Sheet.
  - 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 and adequate information are available for Council to update the Upper Parramatta River Catchment Trust.
90. 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. An additional clause shall be included with the Positive Covenant, for the maintenance of the basement pump system. Typical examples of the Positive Covenants and the Restriction can be obtained from Council's Development Unit. 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.

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

91. 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.

92. 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.

93. An effective evacuation report and procedure shall be prepared by an appropriate consulting engineer. The report shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. A copy of the report shall be provided to Council for record keeping purposes. The report shall incorporate an effective evacuation process and procedure for egress both from the site in the early stages of a storm to upper floor

evacuation during the peak of storm events. Suitable warning signs with evacuation routes lift access restrictions and other flood warning systems shall be installed for the basement levels to warn and prevent people from going into basements in the event that water starts to overtop the ramp threshold and flood the basement.

**Reason:** For the property to ensure future property owners are made aware of the procedure in the case of flood.

94. 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.

95. The artworks (Arts/Interpretation Plan) are to be installed to the satisfaction of Council prior to the issue of the occupation certificate.

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

96. Prior to the issue of any occupation certificate, evidence that a waste collection service contractor has been engaged to service the site shall be submitted to the satisfaction of the PCA.

**Reason:** To ensure a waste collection service is commenced at the time of occupation of the development.

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

97. The specific commercial and/or retail use or occupation of the ground floor tenancies shall be the subject of further development approval for such use or occupation.

**Reason:** To ensure development consent is obtained prior to that use commencing.

98. 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.

99. 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.

100. 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.

101. All loading and unloading shall take place within the designated loading areas on the subject property.

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

102. To preserve the streetscape, roller shutters are not to be placed over the entrance or the windows of the retail/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.

103. No air-conditioning condensers/units are to be located on any of the balconies.

**Reason:** To ensure the amenity of the units and visual amenity of the building.

104. A single antennae for the purpose of receiving television signals and a single satellite dish for the purpose of receiving satellite signals shall be installed for the entire building and not affixed to balconies or walls of individual units, and shall not be visible from any frontage.

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