

## **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:

<b>Drawing N<sup>o</sup></b>	<b>Dated</b>
Alignment Park (Foreshore Park). Project No. 1513. Drawing No. A40. Issue 02.	21 February 2014
Alignment Levels Plan. Job No. 130149. Revision A and E. 4 pages	19 February 2014
Site Analysis. Project No. 1513. Drawing No. A02. Issue 06.	23 August 2013
Demolition Plan, Location Plan and Site Plan. Project No. 1513. Drawing No. A00. Issue 07.	29 August 2013
Erosion and Sediment Control Plan and Details. Drawing No. D01. Revision C.	18 February 2014
Standard Drawings and Details. Drawing No. C03. Revision A.	29 August 2013
Basement 2 Stormwater Plan and Drainage Details. Drawing No. D02. Revision D.	17 February 2014
Basement 1 Stormwater Plan and Drainage Details. Drawing No. D03. Revision C.	2 October 2013
Ground Floor Stormwater Plan and Drainage Details. Drawing No. D04. Revision E.	17 February 2014
Basement Level 2. Project No. 1513. Drawing No. A03. Issue 10.	1 October 2013
Basement Level 1. Project No. 1513. Drawing No. A04. Issue 12.	24 January 2014
Level 1 Ground Plan. Project No. 1513. Drawing No. A05. Issue 13.	24 January 2014
Level 2 Plan. Project No. 1513. Drawing No. A06. Issue 12.	10 January 2014
Level 3 Plan. Project No. 1513. Drawing No. A07. Issue 09.	18 September 2013
Level 4, 6, 7 and 9 Plan. Project No. 1513. Drawing No. A08. Issue 10.	1 October 2013
Level 5 and 8 Plan. Project No. 1513. Drawing No. A09. Issue 8.	13 September 2013
Level 10 Plan. Project No. 1513. Drawing No. A10. Issue 10.	1 October 2013
Level 11 Plan. Project No. 1513. Drawing No. A11. Issue 8.	13 September 2013
Level 12 Plan. Project No. 1513. Drawing No. A12. Issue 9.	3 April 2014
Roof Plan. Project No. 1513. Drawing No. A13. Issue 9.	3 April 2014
Elevations 1. Project No. 1513. Drawing No.	3 April 2014

Drawing N <sup>o</sup>	Dated
A20. Issue 8.	
Elevations 2. Project No. 1513. Drawing No. A21. Issue 8.	3 April 2014
Cross Section. Project No. 1513. Drawing No. A22. Issue 8.	13 September 2013
Longitudinal Section. Project No. 1513. Drawing No. A23. Issue 8.	13 September 2013

Document(s)	Dated
Access Report	2 October 2013
SEPP 65 Verification Statement	24 September 2013
Arts Plan	September 2013
BASIX Certificate No. 505208M	4 October 2013
Construction Noise Management Plan	23 October 2013
ESD Report	10 October 2013
External Finishes. Project No. 1513. Drawing No. A50. Issue 06.	18 September 2013
Remediation Action Plan	10 September 2013
Security Design and Management Report	October 2013
Solar Light Reflectivity Analysis.	23 September 2013
Stage 2 Environmental Site Assessment	31 July 2013
Stormwater Management and WSUD Report	25 October 2013
Traffic Report	October 2013
Flood Impact Report	27 October 2013
Geotechnical Investigation Report	3 August 2013
Preliminary Acid Sulphate Soil Assessment and Management Plan	5 August 2013
Flora and Fauna Assessment Report	19 February 2014
Waste Management Plan.	22 October 2013
General Terms of Approval issued by NSW Office of Water (10 ERM 2013/0941)	17 January 2014

**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. **Pursuant to section 931(3) of the Environmental Planning & Assessment Act 1979, the applicant must carry out the works as per the VPA as set out in the letter dated 30 October 2012 from Emin Pty Limited and NGP Investments (No2) Pty Limited to Council as registered on the legal title**

**of the site. Nothing in this consent derogates from the rights and obligations conferred by the planning agreement.**

**Reason: To ensure performance of obligations under a planning agreement**

3. 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.

4. 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.

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. 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.

7. All roof water and surface water is to be connected to an approved drainage system complying with Council's specifications and policy requirements.

**Reason:** To ensure satisfactory stormwater disposal.

8. 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.

9. Trees to be removed are:

Tree No	Name	Common Name	Location
3x	<i>Grevillea robusta</i>	Silky Oak	South-western corner of the site
3x	<i>Eucalyptus elata</i>	River Peppermint	South-western corner of the site
1x	<i>Casuarina glauca</i>	She Oak	South-western corner of the site – Along the River Road frontage
16x	<i>Casuarina glauca</i>	She-oak	South-western corner of the

			site
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10. All Tree removals shall be supervised by an AQF Level 3 qualified arborist and conform to the provisions of the NSW Tree Work Draft Code of Practice 2007.

**Reason:** To ensure works are carried out in accordance with Tree Work Draft Code of Practice 2007.

11. Any garbage chutes must be designed in accordance with the requirements of the *Building Code of Australia* and the Department of Environment and Climate Change *Better Practice Guide for Waste Management in Multi-Unit Dwellings*. Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.

**Reason:** To ensure waste conveyance equipment is appropriately designed and managed.

12. Separate waste processing and storage facilities are to be provided for residential and commercial tenants in mixed use developments. These facilities should be designed and located so that they cannot be accessed by the public, and are accessible by a private waste contractor for collection. A caretaker is to be appointed by the managing body to be responsible for the management of all waste facilities.

**Reason:** To ensure waste is adequately separated and managed in mixed use developments.

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

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

14. **Under section 37 of the *Strata Schemes (Freehold Development) Act 1973*, strata subdivision of the development is subject to development consent and the lodgement of a separate development application of the strata plan either from Council or an accredited certifier.**

**Reason:** **To comply with the *Environmental Planning & Assessment Act 1979* and *Strata Schemes (Freehold Development) Act 1973*.**

15. The proposed development should be designed such that road traffic noise from adjacent public roads is mitigated by durable materials, in accordance with EPA criteria for new land use developments (The Environmental Criteria for Road Traffic Noise, May 1999). The RMS's Environmental Noise Management Manual provides practical advice in selecting noise mitigation treatments.

**Reason:** As per RMS requirements.

16. All works approved under Consent No. 702/2013 are to be contained wholly within the development site. A works required along the foreshore (where RMS is the landowner) will require further approval from RMS.  
**Reason:** As per RMS requirements.

### **Prior to the Issue of a Construction Certificate**

17. The Construction Certificate will not be issued over any part of the site requiring a controlled activity approval until a copy of the approval has been provided to the PCA and Council.

The GTAs issued by the NSW Office of Water is **not** the controlled activity approval. The applicant must apply (to the Office of Water) for a controlled activity approval before the commencement of any work or activity on waterfront land.

**Reason:** As per the recommendations of NSW Office of Water.

18. Prior to the commencement of any work, including bulk earthworks and construction works the applicant/developer is to approach the NSW State Heritage Office to satisfy any archaeological requirements for the site. This may include a preliminary archaeological assessment or a request for an exemption permit.

A copy of the written correspondence from the Heritage Office 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 Heritage Office are met and any European / Aboriginal archaeological items are appropriately managed.

19. The submission of a final Landscape Plan to Parramatta City Council, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:
- (a) The final landscape plan shall be amended where required to ensure consistency with the approved public domain plan and the approved Vegetation Management Plan.
  - (b) That all works are to be contained wholly within the development site. Any landscape works located along Alfred Street (on Council's land) outside of the development site are not approved elements under this consent.
  - (c) The final landscape plan is to be amended so that the landscaping is used to clearly demarcate private land from the land to be dedicated to Council.
  - (d) Increase the width of the central planting bed to align with land to be dedicated to Council.
  - (e) Replace the species as follows:
    - 16 x Kentia Palm with 16 x Cabbage Tree Palm;
    - 354 x Liriope with 354 Dianella caerulea 'Little Jess' (Dwarf Dianella);
    - 84 x Star Jasmine with 84 x Hardenbergia violacea;

16 x Street Trees (Tuckeroo) with Lemon Myrtle  
(Backhousia citriodora).

- (f) All landscape plans are to be prepared by a professionally qualified landscape architect.

**Reason:** To ensure that appropriate landscaping is implemented.

20. Prior to the release of the construction certificate, amended architectural plans are to be submitted to the PCA demonstrating the following:
- A minimum floor to ceiling height of 3.3 metres for non-residential uses on the ground floor and a minimum of 2.7 metres for residential uses. The modification to the floor to ceiling height is not to modify the overall height of the development.
  - That all works are to be contained wholly within the development site. Any works located along Alfred Street (on Council's land) outside of the development site are not approved elements under this consent.
  - Demonstrating that individual storage areas within the basement are assigned to individual units of the development. The storage areas are to be compliant with the storage volumes as per the Residential Flat Design Code.
  - Pedestrian / bicycle path is a minimum width of 3 metres and minimum width of 5 metres from the top of bank
21. Prior to the issue of the Construction Certificate, the following modifications are to be demonstrated on the alignment plan and submitted to Council for further approval:
- i.) The alignment plans for River Road West and Alfred Street are to be amended to illustrate indicative street tree locations.
  - ii.) The foreshore alignment plan is to be amended so that the grades between the cycleway and the riverbank are a maximum of 12.5%.  
A detailed foreshore alignment plans to ensure that the transition between the development and the foreshore are acceptable to be prepared in accordance with Council's requirements.

The Public Domain Plan is to reflect the Alignment Plan and the above modifications. The Public Domain Plan is to be subject to approval by Council's Civil Assets Team and Urban Designer prior to the issue of the construction certificate

**Reason:** To ensure that appropriate alignments are met.

22. Prior to the issue of the Construction Certificate, The arts plan is to be amended and submitted to Council's Art planner for further review and approval which demonstrates a focus on the following aspects:
- the Foreshores Park Wind Vanes (7.2) and
  - Foreshores Park Eddy (7.4).

These works along the river connection is to be of an appropriate size, scale and quality method of fabrication in keeping with the context of the development site.

**Reason:** To ensure the Arts Plan is appropriately executed.

23. Prior to the issue of the Construction Certificate, the applicant shall submit for approval by the **Group Manager Outcomes and Development** of Parramatta City Council a detailed River Embankment Reinstatement Strategy in accordance with the requirements of the VPA. The detailed design plans are to demonstrate compliance with the VPA and in accordance with the NSW Department of Environment, Climate Change and Water 'Environmentally Friendly Seawalls Guide' 2009
24. The Applicant shall provide written evidence demonstrating that offers of a car space to carshare providers have been made together with the outcome of the offers or a letter of commitment to the service. The written evidence is to be submitted to Council prior to the release of the construction certificate.
25. Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, prior to the issue of the Construction Certificate the Certifying Authority, shall be satisfied that the operation on an individual piece of equipment or operation of equipment in combination will not exceed more than 5db (A) above the background level during the day when measured at the site's boundaries and shall not exceed the background level at night (10.00pm – 6.00am) when measured at the boundary of the site.

**Note:** A certificate from an appropriately qualified acoustic engineer is to be submitted with the Construction certificate, certifying that all mechanical ventilation equipment or other noise generating plant in isolation or in combination with other plant will comply with the above requirements.

**Reason:** To comply with best practice standards for residential acoustic amenity.

26. A monetary contribution comprising **\$825,000.00** 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 (Amendment No. 1). Payment must be by EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a construction certificate/ subdivision certificate [choose one]. 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. Parramatta City Centre Civic Improvement Plan (Amendment No. 1) can be viewed on Council's website at: [http://www.parracity.nsw.gov.au/build/forms\\_and\\_planning\\_controls/developer\\_contributions](http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions).

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

27. Prior to the release of the Construction Certificate design verification is required to be submitted from a registered 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 designer in this condition is as per the definition in SEPP 65.

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

28. 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.

29. 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.

30. 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.

31. The Construction Certificate is not to be released unless the Principal 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.

32. Prior to the issue of the Construction Certificate, the applicant is to provide evidence that appropriate provision is required and has been made to accommodate broadband access to the development. The applicant is to liaise with Telstra or another telecommunications provider to determine and make provision for any relevant infrastructure at no cost to Council.

**Reason:** To ensure that appropriate provision has been made to accommodate broadband access to the development.

33. A single master TV antenna must be installed on each building to service the development and provision made for connection to each dwelling unit within the development. A statement or annotations on the plan must be submitted to the satisfaction of the PCA prior to the issue of a Construction Certificate. The antenna is not to protrude beyond 3 m above the roof level.

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

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 the issue of the construction certificate.

The approved plans must be submitted to a Sydney Water Quick Check agent to determine whether the development will affect any Sydney Water wastewater and water mains, storm water drains and/or easement, and if any requirements need to be met. Plans will be appropriately stamped.

- Quick Check agents details - see Building and Developing then Quick Check and
- Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating or telephone 13 20 92.

34. 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:
  - a. all relevant statutory requirements,
  - b. all relevant conditions of development consent

- c. construction requirements detailed in the above Specification, and
- d. 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.

35. 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

36. 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 Principal Certifying Authority and approval from Roads and Maritime Services (RMS). The following matters must be specifically addressed in the Plan:

(a) Construction Management Plan for the Site

A plan view of the entire site and frontage roadways indicating:

- i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- ii. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- iii. The locations of proposed Work Zones in the egress frontage roadways,
- iv. Location of any proposed crane standing areas,
- v. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- vi. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- vii. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
- viii. A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
- ix. A detailed description of locations that will be used for layover for trucks waiting to access the construction site.

- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Works Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

- (c) Traffic Control Plan(s) for the site:

- i. All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication '*Traffic Control Worksite Manual*' and be designed by a person licensed to do so (minimum RMS '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.

- (d) 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.

37. Prior to any works commencing on the driveway crossover and prior to the issue of any Occupation 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); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

In order to apply for a driveway crossing, you are required to complete the relevant application form with supporting plans, levels and specifications and pay a fee in accordance with Councils adopted 'Fees and Charges' at the time of payment.

**Note 1:** 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.

**Note 2:** Council's Customer Service Team can advise of the current fee and can be contacted on 9806 5524.

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

38. 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 the energy infrastructure authority 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.

39. If an excavation associated with the erection or demolition of a building extend 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; must preserve and protect the building from damage; and if necessary, must underpin and support the building in an approved manner. At least 7 days before excavating 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 must give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished and submit to the Principal Certifying Authority details of the date and manner by which the adjoining owner(s) were advised.

**Reason:** To control excavation procedures.

40. Any exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and 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.

41. Should any proposed work be undertaken where it is likely to disturb or impact upon a utility installation (e.g. power pole, telecommunications infrastructure, etc) written confirmation from the affected utility provider 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 utility installation shall be borne in full by the applicant/developer.

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

42. 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.

43. In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds are required to be submitted to Council to guarantee the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate has not been issued or not required.

The bond may be paid, by EFTPOS, bank cheque, credit card or be an unconditional bank guarantee.

Should a bank guarantee be the proposed method of submitting a security bond it must:

- a) Have no expiry date;
- b) Be forwarded direct from the issuing bank with a cover letter that refers to Development Consent DA 702/2013;
- c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

Bonds shall be provided as follows

Nature strip and roadway \$40,000

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to Parramatta City Council with the payment of the bond/s to the Civil Assets Unit. The dilapidation report is required to report on any existing damage to kerbs, footpaths, roads, nature strip, street trees and furniture bounded by all street frontage/s of the development site to the centre of the road.

**Reason:** To safeguard the public assets of Council and to ensure that these assets are repaired/maintained in a timely manner so as not to cause any disruption or possible accidents to the public.

44. The site stormwater discharge shall be done using two units of a headwall and apron as shown the on the approved concept drainage plans and shall not be constructed against the river flow. The full detail and location for each of the outlet pipe headwall and the required apron - as part of an anti-scouring method - is subject to the satisfaction and approval of Council's Civil Infrastructure Unit prior to the issue of a Construction Certificate.  
**Reason:** To ensure satisfactory storm water disposal.
45. A stormwater management system shall be designed in accordance with the water sensitive urban design (WSUD) principles as per Parramatta City Council's Development Control Plan (DCP). The quality of the stormwater flow from the development site shall be improved to achieve the Pollution Retention Criteria in Council's DCP, prior to discharge into the river. In the case of using filter cartridges, the compliance of the (WSUD) system shall be certified to comply with the Product Design Manual to the satisfaction of the Principal Certifying Authority and Parramatta Council.  
**Reason:** Stormwater filtration system designed to improve quality of stormwater runoff from the site
46. 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 (minimum 10m<sup>3</sup>) capable of storing the run-off from a 100 year ARI - 2 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:
    - The permissible site discharge (PSD) rate; or
    - 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 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.
  - (g) Any basement carpark ventilation is to be located above the 1:100 top of water level.

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.

47. The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS2890.1 (2004) & AS2890.2 (2002), except where amended by other conditions of this consent. Certification or details of compliance are to be submitted with the Construction Certificate plans.

**Reason:** To ensure car parking complies with Australian Standards.

48. The site stormwater discharge shall be done using two units of a headwall and attached apron as shown on the approved concept drainage plans and this outlet pipe is not to be constructed against the river flow. The full detail and location for each of the outlet pipe's headwall and its related apron to minimise the flow velocity - as part of an anti-scouring method - is subject to the satisfaction and approval of Council's Civil Infrastructure Unit prior to the issue of a Construction Certificate.

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

49. The Principal Certifying Authority shall ensure that the following engineering issues are addressed adequately as required :

- a) The engineering recommendations for the development site; design and Flood Evacuation & Management Plan as stated in the Flood Impact Assessment report dated 24 October 2013 prepared by 'Cardno' consultant engineers in addition to their letter dated 10<sup>th</sup> February 2014 by Brett Phillips, are implemented and incorporated within the design and shown on the engineering plan prior to the issue of the Construction Certificate. In this regard, compliance with this condition shall be certified in writing by a suitably qualified professional engineer to the satisfaction of the Principal Certifying Authority and certification submitted to Parramatta city Council together with the application for the Construction Certificate.
- b) Structural certification from a suitably qualified structural engineer should be submitted with the application for a Construction Certificate indicating that all columns, buildings and structures have been designed to withstand inundation, debris and buoyancy forces of floodwater through the site for all storms up to and including the Probable Maximum Flood (PMF) assuming total pipe blockage.
- c) The building façade shall be designed so as not to obstruct flood flows in extreme flood events.
- d) Access and egress points to all buildings are to be positioned away from overland flow paths and above 100 year flood level plus freeboard.
- e) Any fencing or property security should be 'flood friendly' allowing flood waters to easily pass through
- f) The dedicated 'refuge area' located above the (PMF) level for each building of this proposed development shall be clearly indicated on the final architectural and engineering plans.

**Note:** The design and certification of the building and the Flood Evacuation & Management Plan shall be submitted to the satisfaction of the Principal

Certifying Authority together with the application for the Construction Certificate.

**Reason:** To ensure the structure can withstand flooding events.

50. A stormwater management system shall be designed in accordance with the water sensitive urban design (WSUD) principles as per Parramatta City Council's Development Control Plan (DCP). The quality of the stormwater flow from the development site shall be improved to achieve the Pollution Retention Criteria in Council's DCP, prior to discharge into the river. In the case of using filter cartridges, the compliance of the (WSUD) system shall be certified to comply with the Product Design Manual to the satisfaction of the Principal Certifying Authority.

**Reason:** Stormwater filtration system designed to improve quality of stormwater runoff from the site

**51. Deleted**

52. 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.

53. Parking spaces are to be provided in accordance with the approved plans referenced in condition 1, and AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate.

**Reason:** To comply with Council's parking requirements and Australian Standards.

54. 150 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage areas are to comply with AS 290.3-1993.

**Reason:** To comply with Council's parking requirements.

55. A separate entry driveway (6m wide) and exit driveway (4m to 6m wide each) with a minimum of 1m wide physical separator, is to be provided in accordance with Tables 3.1 and 3.2 of AS 2890.1-2004. The ramp access driveway (6m wide both directions) is to be widened to provide a minimum of 600mm wide physical separator.

56. Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate.

**Reason:** To ensure appropriate vehicular manoeuvring is provided

57. Speed control devices (carpark style speed humps or similar) shall be installed along the parking aisle on basement levels 1 and 2 in accordance with Clause 2.3.3 and Clause 4.9 of AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.

**Reason:** To comply with Australian Standards and ensure vehicular and pedestrian safety.

58. 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 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site from River Road West. This shall be illustrated on plans submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials. The exhaust air shaft on the western side of the driveway creates visibility and safety problem and should need to be set back to provide adequate visibility for drivers leaving the property and pedestrians on the footpath. Adequate sight distance shall be provided in accordance with Clause 3.2.4 (b) of AS 2890.1-2004.

**Reason:** To comply with Australian Standards and ensure pedestrian safety.

### **Prior to the Commencement of Work**

59. Should the post development storm water discharge from the subject site into the RMS system exceed the pre-development discharge, detailed design plans and hydraulic calculations of any charges are to be submitted to the RMS for approval, prior to the commencement of works.

Details should be forwarded to:

Sydney Asset Management  
Roads and Maritime Services  
PO BOX 973 Parramatta CBD 2124

60. Prior to the commencement of any works including demolition, evidence is to be provided to Council that the Office of Environment and Heritage had been consulted prior to undertaking any environmental assessment for the bat and migratory bird habitat in the adjoining the river corridor. 60. An acid-sulphate soils management strategy (prepared by a suitably qualified and experienced environmental/geotechnical consultant) shall be submitted to the Principal Certifying Authority, prior to the issue of the Construction Certificate. This strategy is required to recommend specific procedures and mitigation measures and shall include a site analysis from a National Association of Testing Authorities (NATA) registered laboratory. This strategy shall address the following aspects:

- (a) specific mitigative measures to minimise the disturbance of acid sulphate soils as well as measures relating to acid generation and acid neutralisation of the soil;
- (b) management and disposal of the excavated material;
- (c) measures taken to neutralise the acidity; and
- (d) run-off control measures.

The recommendations of the strategy shall be completed, prior to the commencement of building works.

**Reason:** To protect the development from the harmful effects of acid-sulphate soils.

61. Prior to the commencement of works, a Vegetation Management Plan is to be prepared and submitted and approved by Council describing riverbank and riparian corridor rehabilitation and restoration detail which is to be implemented for the entire site. This is to be in place prior to further works across the site. The VMP is to also include details of the Environmental Buffer Zone.
62. A Construction Environmental Management Plan (CEMP) must be prepared in accordance with the Department of Infrastructure, Planning and Natural Resources (2004) Guidelines for the Preparation of Environmental Management Plans and submitted to the relevant authorities at least 4 weeks prior to the commencement of construction.

The CEMP must be prepared and implemented in accordance with the procedures, safeguards and mitigation measures identified in the EA and in consultation with relevant stakeholders. One such safeguard measure to be implemented prior to operation is the installation of a pollution control valve that will contain all pollutants on the premises so that all stormwater outlets from the premises are capable of being closed off.

The CEMP must contain all the Construction Sub Plans, including:

- a) Construction Noise and Vibration Management Sub Plan,
- b) Construction Contaminated Land Management Sub Plan (to further assess the extent of asbestos and ensure the ash layer will not be disturbed during construction in addition to any relevant Remedial Action Plan),
- c) Construction Soil and Water Management Sub Plan.

The approved CEMP must be made publicly available.

63. An Operation Environmental Management Plan (OEMP) must be prepared in accordance with the Department of Infrastructure, Planning and Natural Resources (2004) Guidelines for the Preparation of Environmental Management Plans and submitted to the relevant authority at least 4 weeks prior to the commencement of operation. The OEMP must be prepared and implemented in accordance with the procedures, safeguards and mitigation measures identified in the EA and in consultation with relevant stakeholders. The OEMP must incorporate a monitoring and review program which contains (but is not limited to):
  - a) an Operation Noise Management Sub Plan,
  - b) an Operation Air Quality/Odour Management Sub Plan,
  - c) a Quantitative Final Hazard Analysis,

The approved OEMP must be made publicly available.

64. Retained trees or treed areas shall be fenced with a 1.8 metre high chainwire link or welded mesh fence, fully supported at grade, to minimise the disturbance to existing ground conditions within the canopy drip line or a setback as specified on the approved landscaping plan for the duration of the construction works. "Tree Protection Zone" signage is to be attached to protective fencing.  
**Reason:** To protect the environmental amenity of the area.
65. The consent from Council is to be obtained prior to any pruning works being undertaken on any tree, including tree/s located in adjoining properties. Pruning works that are to be undertaken must be carried out by a certified Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.  
**Reason:** To ensure the protection of the tree(s) to be retained.
66. On demolition sites where buildings are known to contain friable or non-friable asbestos material, standard warning signs containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm are to be erected in a prominent position on site visible from the street kerb. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site. Advice on the availability of these signs can be obtained by contacting the NSW WorkCover Authority hotline or their website [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).  
**Reason:** To comply with the requirements of the NSW WorkCover Authority.
67. All footings and walls adjacent to a boundary must be set out by a registered surveyor. Prior to commencement of any brickwork or wall construction a surveyor's certificate must be submitted to the Principal Certifying Authority indicating the position of external walls in relation to the boundaries of the allotment.  
**Reason:** To ensure that the building is erected in accordance with the approval granted and within the boundaries of the site.
68. Prior to commencement of works above ground, a detailed Public Domain Plan shall be prepared in consultation with and subject to the approval by Council's Civil Infrastructure Unit and Open Space and Natural Resources Teams. The plan shall clearly indicate site levels, elevations and sections as well as explanation of all materials, paving types etc and to include:
- Materials and finishes of all paved footpath within the road reserve in accordance with the requirements of the relevant Council public domain policy for the city centre;
  - Location, numbers and type of street tree species to be provided;
  - Details of planting procedure and maintenance;
  - The applicant shall construct public domain works to the written satisfaction of Council prior to issue of an Occupation Certificate.

69. 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.

70. 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.

71. 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.

72. 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.

73. 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.

74. 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, e.g. 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.

75. 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.

76. 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.

77. 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.

78. 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.. 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.

Any damage caused during construction works to adjoining properties is to be fully rectified prior to the release of an Occupation Certificate at the cost of the developer.

**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.

79. 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:

- i. 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.
- ii. 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.

- iii. 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).

**iv. Deleted.**

- v. The existing groundwater levels in relation to the basement structure, where influenced.
- vi. 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.
- vii. 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.

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:

- iv. No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- v. 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.
- vi. 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.

- vii. 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.
- viii. Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
- ix. 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 Cl of AS 2870 - 1996.

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

80. 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:

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

81. 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.

82. 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.

83. The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on site.

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

84. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Principal Certifying Authority (and Council if not the PCA) of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters and drainage pits.

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

85. 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 and for a minimum three (3) month period after the completion of the project, where necessary.

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

86. 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.

87. 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.

88. An Operational Management and Maintenance Report is required to be lodged with the Occupation Certificate application as a separable section of the Stormwater Drainage Plan to provide an outline of the proposed long term operational management and maintenance requirements of the stormwater system on the site. As a guide the maintenance report is required to cover all aspects of on-site facilities associated with the management of stormwater quality and is to outline the following requirements:
- (i) aims and objectives (including water quality and filter media parameters);
  - (ii) a plan showing the location of the individual components of the system
  - (iii) manufacturer's data and product information sheets for any proprietary products
  - (iv) location of inspection and monitoring points shown clearly on the plan
  - (v) describe inspection/maintenance techniques and the associated rectification procedures
  - (vi) A schedule or timetable for the proposed regular inspection and monitoring of the devices, (Council recommends a visual inspection at least 3 times per year between October and May the following year, with a maximum of 3 months between successive inspections). Inspection should be made not less than 24 hours and not more than 72 hours after the cessation of rainfall if the total rainfall on any day exceeds 30mm
  - (vii) record keeping and reporting requirements
  - (viii) review and update requirements

The report is required to be prepared by a suitably qualified and experienced professional to the satisfaction of Council and utilise the maintenance checklists located '*Product Design Manual*' or (in the Water Sensitive Urban Design Technical Design Guidelines for South East Queensland).

In this regard, the approved report is required to be implemented in perpetuity to the satisfaction of Council. Regular inspection records are required to be maintained and made available to Council upon request. All necessary improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s.

### **During Construction**

89. All works/regulatory sign posting associated with the proposed development are to be at no cost to the RMS.
90. Decommissioning of the unused underground storage tank must be undertaken in accordance with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008, Australian

Standard 4976 - 2008: Removal and Disposal of Underground Petroleum Storage Tanks and the NSW EPA UPSS Technical Note: Decommissioning, Abandonment and Removal of UPSS (January 2010).

91. Within 60 days of the decommissioning of the underground petroleum storage system (or whatever is stated in the Regulation) submit to Parramatta City Council a validation report undertaken by a suitably qualified contaminated land consultant. The validation report shall be conducted with reference to the NSW EPA Contaminated Sites Series and NSW EPA UPSS Technical Note: Decommissioning, Abandonment and Removal of UPSS (January 2010).
92. All fill imported onto the site and soil exported to the site shall be validated to ensure the imported/exported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

Council may require details of appropriate validation of imported and exported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site fill exported off the site should be validated by either one or both of the following methods during remediation works:

- Imported fill/Exported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines

**Reason:** To ensure imported fill is of an acceptable standard.

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

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

94. Groundwater shall be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant NSW EPA water quality standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

Other options for the disposal of groundwater include disposal to sewer with prior approval from Sydney

Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

**Reason:** To ensure that contaminated groundwater does not impact upon waterways.

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

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

96. 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.

97. Noise from the construction, excavation and/or demolition activities associated with the development shall comply with the NSW Department of Environment and Conservation's Environmental Noise Manual and the Protection of the Environment Operations Act 1997.

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

98. 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.

99. 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.

100. 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.

101. 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 (e.g. 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.

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

102. 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.

103. 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 2011 are met.

104. 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.

105. 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.

106. 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.

107. 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.

108. All redundant lay-backs and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate. All costs shall be borne by the applicant, and works shall be completed prior to the issue of an Occupation Certificate.

**Reason:** To provide satisfactory drainage.

109. 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 ensure proper management of Council assets.

110. Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.

**Reason:** To ensure maintenance of Council's assets.

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

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

112. All plants which have been declared, pursuant to Sections 7 and 8 of the Noxious Weeds Act 1993, to be Noxious Weeds within the area of Parramatta City Council shall be removed on site and replaced with appropriate indigenous or native species.

**Reason:** To ensure the compliance with the Noxious Weed Act 1993

113. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

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

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

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

115. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

**Reason:** To ensure that building materials are not washed into stormwater drains.

116. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and ANZECC standards for water quality.

Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

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

#### **Prior to release of Occupation Certificate**

117. Prior to the issue of the Occupation Certificate, the consent holder is to have complied with all the conditions under the Voluntary Planning Agreement associated the approved development under Consent No. 702/2013 on the subject land at 2-8 River Road West, Parramatta.

**Reason:** To comply with the requirements under the Voluntary Planning Agreement.

118. Prior to the dedication of the foreshore area to Council, all sediment and erosion measures are to be implanted so as not result in the potential erosion to the land within proximity of the 1.5 metre wide footpath. Details of the sediment and erosion control measures are to be submitted to Council and the PCA.
119. The foreshore area as illustrated in the approved plan (Site Analysis. Project No. 1513. Drawing No. A02. Issue 06.) is to be dedicated to Council prior to the issue of the Occupation Certificate at no cost to Council. Council's Asset Strategy and Property Management are to be contacted to facilitate the dedication.  
**Reason:** For floodplain management purposes.
120. 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.
121. 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. 505208M, will be complied with prior to occupation.  
**Reason:** To comply with legislative requirements of Clause 97A of the Environmental Planning & Assessment Regulation 2000.
122. 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.
123. 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;
- (d) the date on which it was carried out;
- (e) the name and accreditation number of the certifying authority by whom the inspection was carried out; and
- (f) whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

124. 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.

125. 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.

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.

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

127. 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 our website 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 occupation of the development.

**Reason:** To comply with legislative requirements

128. A written application for release of the bond(s), quoting Council's development application number and site address is required to be lodged with Council's Civil Assets Team prior to the issue of any occupation certificate or completion of demolition works where no construction certificate has been applied for.

The bond is refundable upon written application to Council and is subject to all work being restored to Council's satisfaction.

Once the site and adjacent public road reserve has been inspected and in the case of any damage occurring it has been satisfactory repaired Council will advise in writing that this condition has been satisfied and will organise for the bond to be released. The occupation certificate shall not be released until the PCA has been provided with a copy of the letter advising either that no damage was caused to Council's Assets or that the damage has been rectified.

**Reason:** To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner.

**Advisory Note:** Council's Civil Assets Team will take up to 21 days from receipt of the request to provide the written advice.

129. The artworks shall be installed in accordance with the approved arts plan. The artworks are to be prepared by artists. On completion of the artwork design stage, the applicant is to submit all additional documentation to Council and the Principal Certifying Authority detailing the realisation of the Arts Plan through final design concepts, site plan for artworks, construction documentation and project management prior to its implementation.

The works incorporated in the arts plan are to be installed to the satisfaction of the Principal Certifying Authority prior to the release of an Occupation Certificate.

**Reason:** To ensure the appropriate implementation of the approved public art plan.

130. 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.
131. Submission of a letter confirming satisfactory arrangements have been made for the provision of electricity services from Endeavour Energy or an approved electricity provider.  
**Reason:** To ensure appropriate electricity services are provided.
132. A Travel Plan is to be prepared prior to the issue of an Occupation Certificate. The Travel Plan is to be prepared in accordance with Section 3.6.1 – Sustainable Transport of Parramatta Control Plan 2011.  
**Reason:** To ensure compliance the requirements of PDCP 2011.
133. In executing the public art works, the consent holder is to engage Milne and Stonehouse to develop site specific artworks namely being 7.2 and 7.4 to the proposed themes, scale, location and treatment areas outlined in the Arts Plan.
134. The grass verge must be reinstated with a graded uniform cross fall, using clean uniform topsoil and rolled turf.  
**Reason:** To ensure restoration of environmental amenity.
135. 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.
136. Prior to the issue of the occupation Certificate, the applicant must recognise and create where it is applicable; a restriction –on-use on the title of the subject property. The restriction is to be over the 100 year ARI flood zone identified in the Flood Impact Assessment report by ‘Cardno’ engineering consultants dated 24 Oct 2013 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 (other than what is approved in this Development Consent). Parramatta City Council is to be named as the Authority whose consent is required to release, vary or modify the restriction.  
**Reason:** To protect the environment.
137. The habitable floor level for the proposed buildings shall be minimum 0.5 m above the 1 in 100 year flood level. Certification of compliance with approved floor level by Registered Surveyor shall be provided to the Principal Certifying Authority upon completion of the ground floor.

**Reason:** To ensure that the building level is in accordance with the approval.

138. Prior to the issue of the Final Occupation Certificate, the Principal Certifying Authority shall ensure that the final Flood Emergency Evacuation Management Plan and Emergency Response Procedure report 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.

The accredited certifier shall ensure that the recommendations of the flood report are implemented and all signage, warning systems and the Emergency Evacuation Plan are installed and certified appropriately. The warning signs are to be displayed in visible locations.

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

139. An Operational Management and Maintenance Report is required to be lodged with the Occupation Certificate application as a separable section of the Stormwater Drainage Plan to provide an outline of the proposed long term operational management and maintenance requirements of the stormwater system on the site. As a guide the maintenance report is required to cover all aspects of on-site facilities associated with the management of stormwater quality and is to outline the following requirements:

- (i) aims and objectives (including water quality and filter media parameters);
- (ii) a plan showing the location of the individual components of the system
- (iii) manufacturer's data and product information sheets for any proprietary products
- (iv) location of inspection and monitoring points shown clearly on the plan
- (v) describe inspection/maintenance techniques and the associated rectification procedures
- (vi) A schedule or timetable for the proposed regular inspection and monitoring of the devices, (Council recommends a visual inspection at least 3 times per year between October and May the following year, with a maximum of 3 months between successive inspections). Inspection should be made not less than 24 hours and not more than 72 hours after the cessation of rainfall if the total rainfall on any day exceeds 30mm
- (vii) record keeping and reporting requirements
- (viii) review and update requirements

The report is required to be prepared by a suitably qualified and experienced professional to the satisfaction of Council and utilise the maintenance checklists located '*Product Design Manual*' or (in the Water Sensitive Urban Design Technical Design Guidelines for South East Queensland).

In this regard, the approved report is required to be implemented in perpetuity to the satisfaction of Council. Regular inspection records are required to be maintained and made available to Council upon request. All necessary

improvements are required to be made immediately upon awareness of any deficiencies in the treatment measure/s.

140. The applicant's arboricultural service provider is to remove the street trees located in the River Road West street frontage. 18x *Backhousia citriodora* (Lemon-scented Myrtle) are to be supplied in a 45L container and planted with a setback of 12 m from the corner and 3 m from the driveway.  
**Reason:** To ensure restoration of environmental amenity

141. Following the decommissioning of the underground storage tank and prior to the issue of the Occupation Certificate, a clearance certificate is required to be submitted to Council as well as NSW WorkCover confirming that the underground storage system has been decommissioned by a "duly qualified person" in accordance with Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008 and Australian Standard: 4976 - 2008: Removal and Disposal of Underground Petroleum Storage Tanks and the Department of Environment and Climate Change (DECC) Contaminated Sites Guidelines for Assessing Service Station Sites, 1994.

142. The applicant is to engage an NSW EPA accredited site auditor to undertake an independent assessment of the site investigation (remediation) or (validation) report to address the requirements of section 47(1) (b) of the Contaminated Land Management Act 1997. A site audit statement is to be submitted to the satisfaction of Council and the principal certifying authority on the completion of remediation works and prior to the issue of any Occupation certificate.  
**Reason:** To ensure the contamination assessment report has adhered to appropriate standards, procedures and guidelines

143. A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) 2011 including:
- a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
  - b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
  - c) The walls being cement rendered to a smooth, even surface and coved at all intersections;
  - d) Cold water being provided in the room with the outlet located in a position so that it cannot be damaged and a hose fitted with a nozzle being connected to the outlet.

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

144. Prior to the issue of the occupation certificate, 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 safety of drivers.

### **The Use of the site**

145. 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.

146. 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.

147. The specific 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.

148. Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.

**Reason:** To ensure waste is adequately stored within the premises

149. 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.

150. The operation of the premises is not to give 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.

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

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

152. A security card reader is to be installed at the driveway entry and exit from River Road West upon widening of the driveway and a 1m physical separator (central median) is installed. The central median (1m wide) may be installed from the property boundary to a distance of about 7m - 8m to accommodate turning and manoeuvring of a single rigid vehicle (SRV) into the on-site garbage collection and loading area. Provision of a security card reader is to comply with the Clause 3.3(b) of AS 2890.1-2004. A plan showing the location of the security is to be submitted to Council in a separate Development Application prior to final occupation of the development.

**Reason:** To comply with Australian Standards.

153. The residents and their visitors shall not be entitled to apply for a resident or visitor parking permits, as well as the retail tenancies shall not be eligible to apply for business parking permit.

**Reason:** To comply with Council's residential parking scheme.