

# DA/770/2013

## FINAL CONDITIONS

### GENERAL MATTERS:

- 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:

APPROVED PLANS AND DOCUMENTS				
Date	Drawing No	Company	Drawing Title	Rev No.
<b>Architectural - Lots 301-302</b>				
27.05.14	Z1-DA-0001	Rice Daubney	Drawing System Information GFA- Lots 301, 302	05
21.11.13	Z1-DA-1001	Rice Daubney	Basement Plans. Lot 301 - 302 Basement B2	10
27.05.14	Z1-DA-1002	Rice Daubney	Basement Plans. Lot 301 - 302 Basement B1	13
27.05.14	Z1-DA-1200	Rice Daubney	Podium Plans. Podium Level 01	14
10.04.14	Z1-DA-1202	Rice Daubney	Podium Plans. Lot 301 - Level 01	13
27.05.14	Z1-DA-1203	Rice Daubney	Podium Plans. Lot 302 - Level 01	14
10.04.14	Z1-DA-1300	Rice Daubney	Typical Lot 301 - Level 02	12
27.05.14	Z1-DA-1301	Rice Daubney	Typical Lot 302 - Level 02	13
10.04.14	Z1-DA-1302	Rice Daubney	Typical Lot 301 - Level 03	12
10.04.14	Z1-DA-1303	Rice Daubney	Typical Lot 302 - Level 03	12
10.04.14	Z1-DA-1304	Rice Daubney	Typical Lot 301 - Level 04	12
10.04.14	Z1-DA-1305	Rice Daubney	Typical Lot 302 - Level 04	12
10.04.14	Z1-DA-1306	Rice Daubney	Typical Lot 301 - Level 05	12
10.04.14	Z1-DA-1307	Rice Daubney	Typical Lot 302 - Level 05	12
21.11.13	Z1-DA-1400	Rice Daubney	Roof Plans. Lot 301 - Level 06	10
21.11.13	Z1-DA-1401	Rice Daubney	Roof Plans. Lot 302 - Level 06	10
10.04.14	Z1-DA-1500	Rice Daubney	Elevations. Lot 301 - North & South	09
10.04.14	Z1-DA-1501	Rice Daubney	Elevations. Lot 301 - East & West	09
27.05.14	Z1-DA-1502	Rice Daubney	Elevations. Lot 302 - North & South	10
10.04.14	Z1-DA-1503	Rice Daubney	Elevations. Lot 302 - East & West	09
10.04.14	Z1-DA-1600	Rice Daubney	Sections. Lot 301	10
10.04.14	Z1-DA-1601	Rice Daubney	Sections. Lot 302	10
<b>Architectural - Lots 303-304</b>				
28.05.14	Z2-DA-0001	Rice Daubney	Drawing System Information GFA- Lots 303, 304	05
21.11.13	Z2-DA-1001	Rice Daubney	Basement Plans. Lot 303 - 304 Basement B2	07
27.05.14	Z2-DA-1002	Rice Daubney	Basement Plans. Lot 303 - 304 Basement B1	10
27.05.14	Z2-DA-1200	Rice Daubney	Podium Plans. Podium Level 01	11
10.04.14	Z2-DA-1202	Rice Daubney	Podium Plans. Lot 303 - Level 01	10
27.05.14	Z2-DA-1203	Rice Daubney	Podium Plans. Lot 304 - Level 01	11
10.04.14	Z2-DA-1300	Rice Daubney	Upper Floor Plans. Lot 303 - Level 02	09
10.04.14	Z2-DA-1301	Rice Daubney	Upper Floor Plans. Lot 304 - Level 02	09
10.04.14	Z2-DA-1302	Rice Daubney	Upper Floor Plans. Lot 303 - Level 03	09
10.04.14	Z2-DA-1303	Rice Daubney	Upper Floor Plans. Lot 304 - Level 03	09
10.04.14	Z2-DA-1304	Rice Daubney	Upper Floor Plans. Lot 303 - Level 04	09
10.04.14	Z2-DA-1305	Rice Daubney	Upper Floor Plans. Lot 304 - Level 04	09
10.04.14	Z2-DA-1306	Rice Daubney	Upper Floor Plans. Lot 303 - Level 05	09
10.04.14	Z2-DA-1307	Rice Daubney	Upper Floor Plans. Lot 304 - Level 05	09
21.11.13	Z2-DA-1400	Rice Daubney	Roof Plans. Lot 303 - Level 05	07
21.11.13	Z2-DA-1401	Rice Daubney	Roof Plans. Lot 304 - Level 05	07
10.04.14	Z2-DA-1500	Rice Daubney	Elevations. Lot 303 - North & South	06

APPROVED PLANS AND DOCUMENTS				
Date	Drawing No	Company	Drawing Title	Rev No.
10.04.14	Z2-DA-1501	Rice Daubney	Elevations. Lot 303 - East & West	06
27.05.14	Z2-DA-1502	Rice Daubney	Elevations. Lot 304 - North & South	07
10.04.14	Z2-DA-1503	Rice Daubney	Elevations. Lot 304 - East & West	06
10.04.14	Z2-DA-1600	Rice Daubney	Sections. Lot 303	07
10.04.14	Z2-DA-1601	Rice Daubney	Sections. Lot 304	07
<b>Architectural - Lot 305</b>				
27.05.14	Z3-DA-0001	Rice Daubney	Drawing System Information GFA- Lot 305	05
21.11.13	Z3-DA-1001	Rice Daubney	Basement Plans. Lot 305 Basement B2	08
10.04.14	Z3-DA-1002	Rice Daubney	Basement Plans. Lot 305 Basement B1	09
10.04.14	Z3-DA-1200	Rice Daubney	Ground/ Podium Plans. Podium Level 01	10
12.12.13	Z3-DA-1202	Rice Daubney	Ground/ Podium Plans. Lot 305 - Level 01	09
12.12.13	Z3-DA-1203	Rice Daubney	Ground/ Podium Plans. Lot 305 - Level 01	09
21.11.13	Z3-DA-1300	Rice Daubney	Upper Floor Plans. Lot 305 - Level 02	08
21.11.13	Z3-DA-1301	Rice Daubney	Upper Floor Plans. Lot 305 - Level 02	08
21.11.13	Z3-DA-1302	Rice Daubney	Upper Floor Plans. Lot 305 - Level 03	08
21.11.13	Z3-DA-1303	Rice Daubney	Upper Floor Plans. Lot 305 - Level 03	08
21.11.13	Z3-DA-1304	Rice Daubney	Upper Floor Plans. Lot 305 - Level 04	08
21.11.13	Z3-DA-1305	Rice Daubney	Upper Floor Plans. Lot 305 - Level 04	08
21.11.13	Z3-DA-1306	Rice Daubney	Upper Floor Plans. Lot 305 - Level 05	08
21.11.13	Z3-DA-1307	Rice Daubney	Upper Floor Plans. Lot 305 - Level 05	08
21.11.13	Z3-DA-1400	Rice Daubney	Roof Plans. Lot 305 - Roof	08
10.04.14	Z3-DA-1500	Rice Daubney	Elevations. Lot 305 - Elevations	06
21.11.13	Z3-DA-1600	Rice Daubney	Sections. Lot 305	05
21.11.13	Z3-DA-1601	Rice Daubney	Sections. Lot 305	05
<b>Architectural - Lot 306A-D</b>				
27.05.14	Z4-DA-0001	Rice Daubney	Drawing System Information GFA- Lot 306	05
27.05.14	Z4-DA-0002	Rice Daubney	Drawing System Information GFA- Lot 306	05
21.11.13	Z4-DA-1001	Rice Daubney	Basement Plans. Lot 306A-C Basement Level B2	14
21.11.13	Z4-DA-1002	Rice Daubney	Basement Plans. Lot 306A-C Basement Level B1	14
21.11.13	Z4-DA-1003	Rice Daubney	Basement Plans. Lot 306D Basement Level B2	14
21.11.13	Z4-DA-1004	Rice Daubney	Basement Plans. Lot 306D Basement Level B1	14
12.12.13	Z4-DA-1200	Rice Daubney	Ground/ Podium Plans. Lot 306 Podium Overall	15
12.12.13	Z4-DA-1201	Rice Daubney	Ground/ Podium Plans. Lot 306 A - Podium/ Level 01	16
12.12.13	Z4-DA-1202	Rice Daubney	Ground/ Podium Plans. Lot 306 B - Podium/ Level 01	15
12.12.13	Z4-DA-1203	Rice Daubney	Ground/ Podium Plans. Lot 306 C - Podium/ Level 01	15
12.12.13	Z4-DA-1204	Rice Daubney	Ground/ Podium Plans. Lot 306 D - Podium/ Level 01	15
21.11.13	Z4-DA-1300	Rice Daubney	Upper Floor Plans. Lot 306 A - Level 02	14
21.11.13	Z4-DA-1301	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 02	14
21.11.13	Z4-DA-1302	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 02	14
21.11.13	Z4-DA-1303	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 02	14
21.11.13	Z4-DA-1304	Rice Daubney	Upper Floor Plans. Lot 306 A - Level 03	14
21.11.13	Z4-DA-1305	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 03	14
21.11.13	Z4-DA-1306	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 03	14
21.11.13	Z4-DA-1307	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 03	14
21.11.13	Z4-DA-1308	Rice Daubney	Upper Floor Plans. Lot 306 A - Level 04	14
21.11.13	Z4-DA-1309	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 04	14
21.11.13	Z4-DA-1310	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 04	14
21.11.13	Z4-DA-1311	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 04	14

APPROVED PLANS AND DOCUMENTS				
Date	Drawing No	Company	Drawing Title	Rev No.
21.11.13	Z4-DA-1312	Rice Daubney	Upper Floor Plans. Lot 306 A - Level 05	14
21.11.13	Z4-DA-1313	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 05	14
21.11.13	Z4-DA-1314	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 05	14
21.11.13	Z4-DA-1315	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 05	14
21.11.13	Z4-DA-1316	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 06	14
21.11.13	Z4-DA-1317	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 06	14
21.11.13	Z4-DA-1318	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 06	14
21.11.13	Z4-DA-1319	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 07	14
21.11.13	Z4-DA-1320	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 07	14
21.11.13	Z4-DA-1321	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 07	14
21.11.13	Z4-DA-1322	Rice Daubney	Upper Floor Plans. Lot 306 B - Level 08	14
21.11.13	Z4-DA-1323	Rice Daubney	Upper Floor Plans. Lot 306 C - Level 08	14
21.11.13	Z4-DA-1324	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 08	14
21.11.13	Z4-DA-1325	Rice Daubney	Upper Floor Plans. Lot 306 D - Level 09	14
21.11.13	Z4-DA-1400	Rice Daubney	Roof Plans. Lot 306 A - Level 6/Roof	14
21.11.13	Z4-DA-1401	Rice Daubney	Roof Plans. Lot 306 B - Level 9/Roof	14
21.11.13	Z4-DA-1402	Rice Daubney	Roof Plans. Lot 306 C - Level 9/Roof	14
21.11.13	Z4-DA-1403	Rice Daubney	Roof Plans. Lot 306 D - Level 10/Roof	14
21.11.13	Z4-DA-1500	Rice Daubney	Elevations. Lot 306 A - North & South	06
21.11.13	Z4-DA-1501	Rice Daubney	Elevations. Lot 306 A - East & West	06
21.11.13	Z4-DA-1502	Rice Daubney	Elevations. Lot 306 B - North	06
21.11.13	Z4-DA-1503	Rice Daubney	Elevations. Lot 306 B - South	06
21.11.13	Z4-DA-1504	Rice Daubney	Elevations. Lot 306 B - East	06
21.11.13	Z4-DA-1505	Rice Daubney	Elevations. Lot 306 B - West	06
21.11.13	Z4-DA-1506	Rice Daubney	Elevations. Lot 306 C - North	06
21.11.13	Z4-DA-1507	Rice Daubney	Elevations. Lot 306 C - South	06
21.11.13	Z4-DA-1508	Rice Daubney	Elevations. Lot 306 C - East	06
21.11.13	Z4-DA-1509	Rice Daubney	Elevations. Lot 306 C - West	06
21.11.13	Z4-DA-1510	Rice Daubney	Elevations. Lot 306 D - North	06
21.11.13	Z4-DA-1511	Rice Daubney	Elevations. Lot 306 D - South	06
21.11.13	Z4-DA-1512	Rice Daubney	Elevations. Lot 306 D - East	06
21.11.13	Z4-DA-1513	Rice Daubney	Elevations. Lot 306 D - West	06
21.11.13	Z4-DA-1600	Rice Daubney	Sections. Lot 306 A	06
21.11.13	Z4-DA-1601	Rice Daubney	Sections. Lot 306 B - South	06
21.11.13	Z4-DA-1602	Rice Daubney	Sections. Lot 306 B - West	06
21.11.13	Z4-DA-1603	Rice Daubney	Sections. Lot 306 C - South	06
21.11.13	Z4-DA-1604	Rice Daubney	Sections. Lot 306 C - West	06
21.11.13	Z4-DA-1605	Rice Daubney	Sections. Lot 306 D - South	06
21.11.13	Z4-DA-1606	Rice Daubney	Sections. Lot 306 D - West	06
<b>Landscape Plan and Statement</b>				
14.04.14	13-010-CP01	James Pfeiffer	Landscape Site Plan	G
14.04.14	13-010-CP02	James Pfeiffer	Landscape Concept Plan Lots 301, 302 & Pocket Plan	F
25.09.13	13-010-CP03	James Pfeiffer	Landscape Concept Plan Lots 303, 304 & Pocket Plan	E
25.09.13	13-010-CP04	James Pfeiffer	Landscape Concept Plan Lot 305	E
25.09.13	13-010-CP05	James Pfeiffer	Landscape Concept Plan Lot 306	E
25.09.13	13-010-CP06	James Pfeiffer	Landscape Concept Plan, Lot 306 - Common Area	E
25.09.13	13-010-CP07	James Pfeiffer	Landscape Concept Plan, Lot 306 - Landscape Building B	E
25.09.13	13-010-CP08	James Pfeiffer	Landscape Concept Plan, Lot 306 - Landscape Building C	E

APPROVED PLANS AND DOCUMENTS				
Date	Drawing No	Company	Drawing Title	Rev No.
25.09.13	13-010-CP09	James Pfeiffer	Landscape Concept Plan, Lot 306 - Landscape Building D	E
25.09.13	13-010-CP10	James Pfeiffer	Landscape Sections	D
<b>Hydraulic Services Lots 301-306</b>				
Sep-13	HDA01	Floth	Legend and Drawing Schedule	P4
Sep-13	HDA02	Floth	Site Keyplan	P2
Sep-13	HDA03	Floth	Catchment Plan	P2
Sep-13	HDA04	Floth	Lot 301 - 302 Basement 2 Plan	P2
Sep-13	HDA05	Floth	Lot 301 - 302 Basement 1 Plan	P3
Sep-13	HDA06	Floth	Lot 301 - 302 Podium Plan	P3
Sep-13	HDA07	Floth	Lot 301 - 302 OSD Tank Detail Sheet	P4
Sep-13	HDA08	Floth	Lot 303 - 304 Basement 2 Plan	P2
Sep-13	HDA09	Floth	Lot 303 - 304 Basement 1 Plan	P3
Sep-13	HDA10	Floth	Lot 303 - 304 Podium Plan	P3
Sep-13	HDA11	Floth	Lot 303 - 304 OSD Tank Detail Sheet	P4
Sep-13	HDA12	Floth	Lot 305 Basement 2 Plan	P2
Sep-13	HDA13	Floth	Lot 305 Basement 1 Plan	P4
Sep-13	HDA14	Floth	Lot 305 Podium Plan	P3
Sep-13	HDA15	Floth	Lot 305 OSD Tank Detail Sheet	P4
Sep-13	HDA16	Floth	Lot 306 Basement 2 Plan Zones 1 & 2	P3
Sep-13	HDA17	Floth	Lot 306 Basement 1 Plan Zones 1 & 2	P3
Sep-13	HDA18	Floth	Lot 306 Basement 1 Plan Part 2 Zone 3	P3
Sep-13	HDA19	Floth	Lot 306 Podium Plan Zones 1 & 2	P3
Sep-13	HDA20	Floth	Lot 306 Podium Plan Zone 3	P3
Sep-13	HDA21	Floth	Lot 306 OSD Tank Detail Sheet Zones 1 & 2	P3
Sep-13	HDA22	Floth	Lot 306 OSD Tank Detail Sheet Zone 3	P4
Sep-13	HDA23	Floth	Detail Sheet 1 of 2	P3
Sep-13	HDA24	Floth	Detail Sheet 2 of 2	P3

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

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

3. The development is to be carried out in accordance with the General Terms of Approval of the NSW Office of Water (Reference No. 10 ERM2013/1022).  
Note: The General Terms of Approval are not the Controlled Activity Approval. The Applicant must apply to the NSW Office of Water for a Controlled Activity Approval before the commencement of any works.

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

4. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Construction Certificate. Plans, specifications and relevant documentation accompanying the Construction Certificate must include any requirements imposed by conditions of this Development Consent.

**Reason:** To ensure compliance with legislative requirements.

5. Prior to the issue of the Construction Certificate, details are to be submitted to the Principle Certifying Authority that the footings and slabs of the development have been designed to withstand the impacts of salinity. The design of the development is to take into consideration the guidelines within the Department of Infrastructure, Planning and Natural Resources document - Western Sydney Salinity Code of Practice 2003

**Reason:** To ensure appropriate safeguards against salinity.

6. Any garbage chutes must be designed in accordance with the requirements of the *National Construction Code* 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.

7. Trees to be removed are:

Tree No	Name	Common Name	Location
5x	<i>Eucalyptus sp.</i>	Eucalypyt	Northern end of Lot 306

**Reason:** To facilitate development.

8. All trees planted within the site must be of an adequate root volume and maturity so as not to require staking or mechanical support. Planting must be carried out in accordance with the planting and growth requirements of Council's Standard Drawing DS39.

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

## **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

---

9. Deleted.

10. No portion of the proposed buildings 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.

11. (a) In order to ensure the design quality excellence of the development is retained:

- i. The design architect is to have direct involvement in the design documentation, contract documentation and construction stages of the project;
  - ii. The design architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of design issues throughout the life of the project;
  - iii. Evidence of the design architect's commission is to be provided to the Council prior to release of the Construction Certificate
- (b) The design architect of the project is not to be changed without prior notice and approval of the Council.

**Reason:** To ensure the design quality excellence of the development is retained.

12. Where shoring will be located on or will support Council property, engineering details of the shoring are to be prepared by an appropriately qualified and practising structural engineer. These details are to include the proposed shoring devices, the extent of encroachment and the method of removal and de-stressing of the shoring elements. These details must accompany the application for a Construction Certificate. A copy of this documentation must be provided to Council for record purposes. All recommendations made by the qualified practising structural engineer must be complied with.

**Reason:** To ensure the protection of existing public infrastructure and adjoining properties.

13. Prior to finalising the Construction Drawings for submission, a Geotechnical Report shall be prepared specifically for the development site, by a suitably qualified Geotechnical Engineer. The Structural & Foundation designs and the excavation methods proposed for the development shall be assessed in accordance with the recommendations made in the Geotechnical Report. In this regard, a Structural Certification from a suitably qualified structural engineer shall be submitted with the application for Construction Certificate, addressing that the final design drawings are prepared in accordance with the recommendations of the Geotechnical Report. A copy of the Geotechnical Report shall be submitted for approval by the Certifying Authority. The Geotechnical / Civil engineering report should address (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. The existing groundwater levels in relation to the basement structure, where influenced.
- v. 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.
- vi. 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 / Hydro Geological engineer with previous experience in such investigations and reporting. It is the responsibility of the engaged geotechnical specialist to undertake the appropriate investigations, reporting and specialist recommendations to ensure a reasonable level of protection to adjacent property and structures both during and after construction. The report shall contain site specific geotechnical recommendations and shall specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:

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

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

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

- 14. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing No. DS9 & DS10. Any existing disused crossings shall be removed and constructed with kerb and gutter. Details must accompany an application for a Construction Certificate to the satisfaction of Principal Certifying Authority. A vehicular crossing application must be submitted to Council together with the appropriate fee as outlined in Council's adopted Fees and Charges, prior to any work commencing.

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

- 15. All works associated with the construction and/or extension of a driveway crossover/layback within Council owned land requires an application to be lodged and approved by 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).

The application for a driveway crossing requires the completion of the relevant application form and accompanied by plans, grades/levels and specifications. A fee in accordance with Council's adopted 'Fees and Charges' will need to be paid at the time of lodgement.

**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.

- 16. 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/526/2012;
- 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 \$20,000**

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 safe guard 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.

17. 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.

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

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

19. If the proposed 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.

20. 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.

21. The following requirements (from points i to v) shall be complied with and Certifying Authority shall ensure that prior to the issue of Construction Certificate, following conditions are fully complied and incorporated within All Final Design Drawings of these six Lots development prior to being issued for construction;

- i. The minimum floor level for the development **Lots (301, 302, 303, 304 & 305)** shall be 3.70mAHD.
- ii. The minimum floor level for the development **Lot 306** shall be 4.70mAHD.
- iii. The minimum basement car park entry ramp level shall be as follows:
  - a) **Lot 301/302** – Crest level RL3.16, drawings Z1-DA-1200/14, Z1-DA-1203/14, Rev 14.
  - b) **Lot 303/304** – Crest level RL3.32, drawings Z2-DA-1200/11, Z1-DA-1203/14, Rev 14.
  - c) **Lot 305** – Crest level RL3.34, drawing Z3-DA-1200/10, Rev 14.
  - d) **Lot 306 (building A-C)** – Crest level RL3.7, drawing Z4-DA-1002/14, Rev 15.
  - e) **Lot 306 (building D)** – Crest level RL4.29, drawing Z4-DA-1004/14, Rev 15.
- iv. The proposed building and any structures will need to be designed to withstand the forces of floodwater and debris and buoyancy forces up to level of 5.25mAHD. The structures will need to be designed & certified by an experienced practicing Structural Engineer.
- v. All structural building components shall have flood compatible building components up to a level of 3.70mAHD for Lots 301, 302, 303, 304 & 305 and 4.70mAHD for Lot 306 and a certification shall be required

outlining that all six lots building components used for constructions are designed with flood compatible materials.

22. In order to make satisfactory arrangements for the operation of all **Lots 301, 302, 303, 304, 305 & 306** basement stormwater pump-out system, the system shall be designed and constructed to ensure the following are provided:
- (a) A holding tank capable of storing the run-off from a 100 year ARI - 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:
    - i. The permissible site discharge (PSD) rate; or
    - ii. The rate of inflow for the one hour, 5 year ARI storm event.
  - (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
  - (d) A 100 mm freeboard to all parking spaces.
  - (e) Submission of full hydraulic details and pump manufacturers specifications.
  - (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

Plans and design calculations along with certification from the Hydraulic 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.

23. The underground basement pump holding structure of all **Lots 301, 302, 303, 304, 305 & 306** shall be designed and certified by a Certified Practicing Structural Engineer, taking into account of the any structural loads from the above and surrounding areas/structures, which exert load on the tank structures. The principal certifying authority shall ensure that the designer has taken account of all loads influencing the tank structures, duly certified and provided the structural design certificate.

Upon completion of construction, the work shall be certified by a Certified Practicing Engineer to the satisfaction of the principal Certifying Authority. The principal certifying authority shall ensure that the construction works are duly certified by a practicing certified Engineer upon completion of the works.

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

24. A **Flood Emergency Detailed Response Plan**, prepared and submitted for Council approval, for all six lots in particular reference to each of the buildings incorporating the following:

- a) Site based Flood Warning System to be established for the residents and occupiers of the dwellings in order for being fully informed and

aware of the flood information and being prepared for any impending flood event.

- b) Effective evacuation frameworks, procedures and final plan shall be prepared as per Council Floodplain Matrix 'Evacuation' Controls which essentially do not support any reliance on SES & other government agencies aid during the site flood emergency situation and the responsible person for each of the buildings for implementation of the evacuation plan.
- c) If "shelter in place" is proposed then Specific vertical evacuation flood refuges Paths and Floor Space Locations as per Persons at Risk (PAR) at or above PMF level will be required in each of the buildings,
- d) Incorporate appropriate Measures by reviewing source of potentially hazardous overland flooding leading up to PMF event and also during the longer duration PMF, how it might impact on the final plan evacuation process.

**Reason:** To ensure an effective site flood emergency response management plan in place.

25. It is essential for the developments of **Lots 301, 302, 303, 304 & 305** that an additional measure in terms of a flood proof gate shall be installed at the basement ramp entrance crest levels defined as per Condition 21 of this Consent. The purpose of this flood proof gate shall be to address impact measures from flooding events reaching towards PMF event flood inundation which will potentially fill basement car park with flood water. In addition, detail design of flood proof gate and maintenance plan shall be submitted to the satisfaction and subsequent approval by i) Certifying Authority and ii) Council, prior to issue of the Construction Certificate and the Final approved copy of Flood Proof Gate Detailed Design & Maintenance Plan shall be submitted to Council for compliance and record purposes.

**Reason:** To ensure satisfactory measures in place for the basement car park from being filled with floodwater during storm events leading to Probable Maximum Event (PMF) event inundation.

26. Due to the close proximity of the existing Parramatta River and the flood affected surrounding areas, the perimeter walls of the basement shall be constructed using "Tank Construction" method, to prevent any flood waters seeping through the basement walls. In terms of the potential ground water inflows within the basement areas, and to manage any on going seepages, adequate provision shall be made for dewatering the basement floors. However, any such provision shall be based on the Geotechnical and Hydrological Assessment Report and the associated recommendations. Appropriate drainage points shall be constructed along the perimeter cut-off walls to direct seepages into a collection point for pumping out. Details of the dewatering system shall be included with the final drainage plans submitted to the Principal Certifying Authority, with the Construction Certificate application.

**Reason:** To ensure the basement is protected from any flood water seepages and adequate dewatering system is in place to manage any ongoing ground water seepages at the basement floors.

27. With respect to the various basement car park entries for **Lots 301, 302, 303, 304, 305 and 306 (Buildings A/B/C & D)** that the potential for upper catchment and/or streetscape surface flows to enter any basement be specifically addressed prior to CC stage of the project. A detailed drainage system analysis shall be required to be undertaken at in order to demonstrate that upper catchment and/or streetscape surface flows will not enter any of the above **SIX LOTS** will not enter the respective basement. A detailed study shall be prepared and needs to be submitted to Council for approval and any recommended measures arising out of the report to be incorporated within the development.

**Reason:** To ensure that the potential for upper catchment and/or streetscape surface flows to enter any basement shall be eliminated and addressed if required.

28. Prior to the issue of a Construction Certificate, **Lots 301, 302, 303, 304, 305 and 306 (Buildings A/B/C & D)** longitudinal driveways sections and Ramp Access from Basement 1 to Basement 2 levels are to be prepared as per AS 2890.1 (2004) by a qualified civil/traffic engineer and be submitted for to and approved by the Certifying Authority. These profiles are to be at 1:100 scales along both edges of the **proposed driveway**, starting from the centreline of the frontage street carriageway to the proposed basement floor level and also similar sections for Ramp Access from Basement 1 to Basement 2 levels. The Civil/Traffic Engineer shall provide specific written certification to the Certifying Authority on the prepared longitudinal driveways sectional plans that the following five requirements are entirely complied with:

- a. Vehicular access can be obtained using grades of 20% (1 in 5) maximum and
- b. All LOTS' RAMP CIRCULATION & GRADES and changes in grade (transitions) are to be complied with Clause 2.5 and 3.3 of Australian Standard 2890.1 (2004) – "Off-street car parking" **to prevent bottoming or scraping** of the underside of vehicles.
- c. The grade of the driveway is NOT more than **5%** at the nature strip from the kerb & gutter up to the property line and that driveway surface matches the level of the outer edge of the existing footpath level crossing (intersection).
- d. The grade of the driveway is NOT more than max **5%** for at least the first **6m** from the property line into the car park. Grade Transitions with transition length of at least 2m are provided where the grade change is **12.5%** or more for the Summit grade change and **15%** or more for the Sag grade change.
- e. The access driveway for at least first **6m** from the property boundary to the car park shall have a minimum width of **5.5m** in accordance with AS 2890.1-2004.

**Note:** The driveway should slope upward from kerb & gutter to the front property line with surface level at the property line at the highest level, at least **150mm** above the top water level of the stormwater flowing down the along the adjacent kerb & gutter, before it slopes down towards the car park, to avoid the street runoff spilling into the property through the driveway.

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

29. Driveways and vehicular access ramps must be designed not to scrape the underside of cars. In all respects, the proposed vehicle access and accommodation arrangements must be designed and constructed to comply with Australian Standards 2890.1 – 2004 “Off street car parking”. Details are to be provided to and approved by the Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** To ensure that parking spaces are in accordance with the approved development.

30. The driveway / access way within the property shall be designed and constructed to match the surface levels with that of existing concrete footpath at the property boundary and that joints are smooth, and no part of the concrete protrudes out.

**Reason:** To provide suitable vehicle access and smooth junction.

31. A Crime Prevention Through Environmental Design (CPTED) assessment of the basement shall be undertaken and submitted to the satisfaction of the Principal Certifying Authority. Any recommendations contained within this assessment are to be incorporated within the Construction Certificate plans.

**Reason:** To protect public safety.

32. No construction works shall start on the stormwater system until the detailed final storm water plans have been approved by the Principal Certifying Authority. Prior to the approval of stormwater drainage plans, the person issuing the Construction Certificate shall ensure that:

- i. The final stormwater plans are, in general, consistent stormwater plans Drawings (S13110 (HDA07 Rev P4, HDA05 Rev P3, HDA04 Rev P2, HDA11 Rev P4, HDA09 Rev P3, HDA08 Rev P2, HDA22 Rev P4, HDA18 Rev P3, HDA15 Rev P4, HDA13 Rev P4, HDA12 Rev P2, HDA21 Rev P3, HDA17 Rev P3, HDA16 Rev P3, HDA03 Rev P2, HDA07 Rev P4, HDA02 Rev P2)). All drawings were prepared by Floth Sustainable Building Consultants.

**Note1.** The Council approved Stormwater Plans are **for DA approval in concept only** and shall not be used for construction purposes as the construction plan (drawing).

- ii. The proposed On-Site Detention (OSD) System has been designed and certified by a suitably qualified Hydraulic Engineer, in accordance with the Upper Parramatta River Catchment Trust “On-Site Detention Handbook”.
- iii. The design achieves, when using the Flood detention method (4th edition of Upper Parramatta River Catchment Trust’s (UPRCT’s), handbook), as shown on the approved stormwater plan.
- iv. Detailed Stormwater plans with cross sectional details of OSD storage areas; pits etc., OSD Detailed Design Submission (**Form B9**) and OSD Detailed Calculation Summary Sheets are submitted and are acceptable.

- v. A calculation table showing the available storage volume with the pyramid volume and prismatic volume calculation method has been provided.
- vi. Changes and/or alterations to the approved design are not permitted. Any changes, other than that are of minor nature (such as minor relocation of pits and pipes), or the changes that affect the landscaping require prior approval from the council.
- vii. All Grates proposed for the OSD Tanks shall be 900mmX600mm. Adequate access is provided to the storage basin for cleaning.
- viii. A management plan is to be prepared by a qualified hydraulic engineer that outlines how the OSD tanks will be appropriately and safely accessed to facilitate maintenance and cleaning given the limited access points. The management plan must also demonstrate that sufficient ventilation will be provided to the OSD tanks to avoid the accumulation of offensive odours.
- ix. All OSD tanks shall have clear headroom of 2.2m available for the basement car park underneath the OSD Tanks.

It is the responsibility of the Certifying Authority and/or the person issuing the Construction Certificate to ensure that the detailed plans all in accordance with the Council approved stormwater plan.

Upon completion of the construction of stormwater system the Principal certifying Authority shall ensure that upon completion of the construction works, the stormwater system have been inspected and certified by a Qualified Practicing Engineer to the satisfaction of the principal certifying authority. A copy of the certificate shall be forwarded to council for its record.

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

33. The underground OSD tank structures shall be designed and certified by a Certified Practicing Structural Engineer, taking into account of the structural loads from the above and surrounding areas/structures, which exert load on the tank structures. The principal certifying authority shall ensure that the designer has taken account of all loads influencing the tank structures, duly certified and provided the structural design certificate.

Upon completion of construction, the work shall be certified by a Certified Practicing Engineer to the satisfaction of the Certifying Authority. The Certifying Authority shall ensure that the construction works are duly certified by a practicing certified Engineer upon completion of the works.

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

34. To avoid chemicals, grease and other pollutants from discharging from the development and causing harm to the environment, all cleaning, washing and degreasing of motor vehicles shall be carried out in an area set aside for the purpose and shall be drained to a sump and cleansed via a coalescing plate separator prior to discharge into the sewer. The submission of documentary evidence is required from the Trade Waste Section of Sydney Water

Corporation Ltd confirming that satisfactory arrangements have been made with the Corporation regarding the disposal of dirty water into the sewerage system, prior to the issue of the Construction Certificate.

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

The engineer shall:

- a. provide an acceptance in writing to supervise sufficient of the works to ensure compliance with:
    - i. all relevant statutory requirements,
    - ii. all relevant conditions of development consent
    - iii. construction requirements detailed in the above Specification, and
    - iv. the requirements of all legislation relating to environmental protection,
  - b. On completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval and,
  - c. Certify that the Works as Executed plans are true and correct record of what has been built.
36. Prior to the commencement of any works on site, the applicant must submit a Construction and/or Traffic Management Plan to the satisfaction of the Principle Certifying Authority. The following matters must be specifically addressed in the Plan:

(a) Construction Management Plan for the Site

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

- i. Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- 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. The Construction Certificate is not to be issued unless the Certifying Authority is satisfied 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.

38. Prior to the issue of a Construction Certificate, the applicant is to provide Detailed Landscape Plans that are supplementary to the Concept Landscape Plans approved as part of this consent. The detailed Landscape Plans are to identify landscape treatments of:
- a) The *Pocket Parks* located between Lots 301-302 and 303-304, taking into account the Public Arts Plan required by this consent. The pocket parks are to include shade tolerant turf or native groundcovers **and be treated in a manner that retains appropriate view lines**;
  - b) The landscape frontage of the sites in relation to the southern property boundaries that adjoin the Parramatta River foreshore areas. Such landscape details are to include works in the private and public domain between the southern edge of each building and the existing walkway/cycleway of the Parramatta River foreshore along the full extent of the southern property boundaries of Lots 301-306 (inclusive). Such landscape treatments are to provide details on how an appropriate relationship **including having regards to privacy** will be achieved between the interface of the residential flat buildings and the public walkways and foreshore area generally;
  - c) Replace 19 x proposed large evergreen trees along Silverwater Road with *Eucalyptus globoides* (White Stringybark) to offset the removal of 5 existing on-site.

The landscape works to the pocket parks as identified in (a) above, are to be recognised in conjunction with any voluntary planning agreement (to be agreed with Council) for the provision of works that provide a material public benefit. The landscape works as required by (a) above can be included to offset Section 94A contributions as agreed with Council. Landscape Plan to be submitted and approved by Council's Group Manager Outcomes & Development before issue of Construction Certificate.

**Reason:** To ensure that the landscape works to the foreshore area and the pocket parks are delivered in conjunction with the development and that these works are not delayed by negotiations as part of the voluntary planning agreement.

39. Landscaping at the site as identified in the Landscape Concept Plan and the Detailed Landscape Plans as required by this consent is to be modified by removing and replacing the following species which have been identified as a common garden escapee into riparian areas and potentially invasive by the Sydney Weeds Committee:
- i. *Phyllostachys nigra* (Black Bamboo) with *Bambusa textilis* var. *gracilis* (*Slender Weavers Bamboo*);
  - ii. *Robinia pseudoacacia* (Golden False Acacia) with *Acer platanoides* 'Globosum' (Mop Top Maple);
  - iii. *Robinia x slavonii* 'Hillieri' (False Acacia) with *Acer platanoides* 'Globosum' (Mop Top Maple);
  - iv. *Pennisetum alopecuroides* (Swamp Foxtail) with *Dianella caerulea* (Blue Flax Lily);
  - v. *Raphiolepis indica* (Indian Hawthorne) with *Camellia sasanqua*;

- vi. Koelreuteria paniculata (Golden Rain Tree) with Buckinghamia celsissima (Ivory Curl Flower);
- vii. Colocasias esculenta (Taro) with Crinum pedunculatum (Swamp Lily).

Details shall be illustrated on a plan submitted with the Construction Certificate.

40. (a) Prior to the issue of the Construction Certificate for the 1st development lot to be constructed, an Arts Plan (prepared by an artist and including design concepts, site plan for artworks, construction documentation and project management) for the entire development site shall be submitted to Council's Public Arts Officer. This Arts Plan is to be approved by Council before the issue of an Occupation Certificate for this 1st building.
- (b) Prior to the issue of any Construction Certificate for a building on a 2nd development lot to be constructed, the Arts Plan required by Condition 40(a) must be approved by Council.

Notes:

- (i) Nothing in this condition prevents the issue of a Construction Certificate for the bulk earthworks for the basement.
- (ii) Development lots are considered to be Lots 301-302, Lots 303-304, Lot 305 and Lot 306.

**Reason:** To provide for high quality artworks and improve the public domain.

41. Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, the Certifying Authority must be satisfied that the operation of an individual piece of equipment or operation of equipment in combination will not exceed:
  - 5db (A) above the background level measured during the day at the site's boundaries; and
  - Not exceed the background noise level when operated at night (10.00pm – 6.00am) when measured at the boundary of the site.

A certificate certifying the above criteria can be met is to be provided by an appropriately qualified acoustic engineer is to be submitted with the Construction Certificate plans and documentation to the satisfaction of the Certifying Authority.

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

42. Service ducts, plumbing installations and plant servicing the development must be concealed within the building to keep external walls free from service installations. Details are to be included within the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

**Reason:** To ensure the quality built form of the development.

43. To minimise the impact of noise from Silverwater Road on the occupants of the buildings on Lot 306 it must be acoustically designed and constructed to meet the requirements of AS3671-1989 (*Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction*), AS 2107-2000 (*Recommended design sound levels and Reverberation times in Building interiors*), the NSW Environment Protection Authority's *Environmental Criteria for Road Traffic Noise* and the Environmental Noise Control Manual (Sleep Disturbance) and Clause 102(3) of State Environmental Planning Policy (Infrastructure) 2007.

A report from an appropriately qualified person demonstrating that these acoustic and vibration design requirements will be met must be provided to the satisfaction of the PCA prior to the issue of a Construction Certificate.

**Reason:** To ensure a suitable level of residential amenity not affected by excessive noise and vibration from surrounding activities.

44. The recommendations outlined in the acoustic report prepared by Acoustic Logic with Document reference number 20130442.1/0406A/R0/JR dated 4 June 2013 along with any other recommendations as part as satisfying Condition labelled **Noise & Vibration from Silverwater Road** in this consent, must be incorporated into the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

**Reason:** To ensure a suitable level of residential amenity

45. Prior to the issue of an Occupation Certificate, documentation is to be provided to the Certifying Authority demonstrating that 61 dwellings, that is 10% of the total 612 approved dwellings, are designed to be adaptable dwellings in accordance with AS4299-1995.

**Reason:** To ensure that adaptable dwellings are provided in accordance with Council's requirements.

46. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed on each building to service the development. A connection is to be provided internally to each dwelling/unit within the development.

Details of these connections are to be annotated on the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

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

47. Documentary evidence to the satisfaction of the Certifying Authority must be provided with the application for a Construction Certificate confirming satisfactory arrangements have been made with an energy provider for the provision of electricity supply to the development.

**Reason:** To ensure adequate electricity supply to the development.

48. To reduce the extent of overhead cabling, all low voltage distribution and service mains required to facilitate the development must be underground both within the allotment boundaries and the public way. Details must be

provided with the plans and documentation accompanying the application of a Construction Certificate to the satisfaction of the Certifying Authority.

**Reason:** To provide infrastructure that facilitates the future improvement of the streetscape.

49. All window openings servicing a bathroom and/or WC within each dwelling must have either frosted or obscure glazing. Details are to be provided on the plans and documentation accompanying the Construction Certificate application to the satisfaction of the Certifying Authority.

**Reason:** To ensure privacy to these rooms is adequately maintained.

50. Prior to the issue of a Construction Certificate details are to be provided to the Certifying Authority indicating the bedrooms windows of Units 103, 104, 203, 204, 303, 304, 403, 404, 503 & 504 (on the residential flat building at Lot 305) that face the internal light wells are to be treated as high level windows.

**Reason:** To protect the aural and visual privacy of future residents.

51. A monetary contribution comprising **\$1,862,489.10** or 1% of the detailed cost of the development is payable to Parramatta City Council in accordance with Section 94A of the *Environmental Planning and Assessment Act, 1979* and the *Parramatta Section 94A Development Contributions Plan*.

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.

Alternatively, the applicant or persons exercising this consent may enter into a Voluntary Planning Agreement (VPA) with Parramatta City Council to provide a material public benefit. In doing so, the Council may as part of the VPA allow the contributions payable as described above to be waived in part or in full depending of the cost of providing the material public benefit.

#### Advisory Note

- The cost of development is to be determined in accordance with Section 25J of the Environmental Planning and Assessment Regulation 2000.
- The applicable thresholds are listed in Section 25K of the Environmental Planning and Assessment Regulation 2000 and in Part 3.7 of the Parramatta Section 94A Development Contributions Plan.

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

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

- Reason:** To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.
53. Separate waste bins are to be provided on site for putrescibles and recyclable material. The Principle Certifying Authority is to ensure the required waste bins are on site prior to the issue of an Occupation Certificate
- Reason:** To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.
54. Access and services for people with disabilities must be provided to the 'affected part' of the building in accordance with the requirements of the Access to Premises Standard 2010 and the National Construction Code 2013. Detailed plans, documentation and specification must accompany the application for a Construction Certification to the satisfaction of the Certifying Authority.
- Reason:** To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.
55. The bicycle storage area must be capable of accommodating a minimum of 1 space per 2 dwellings (306 spaces) in relation to each residential flat building. The bicycle storage areas and bicycle rails must be designed to meet the requirements of AS 2890.3-1993 – Off-street Car Parking Facilities (2004). Details of compliance with this standard are to accompany a Construction Certificate application to the satisfaction of the Certifying Authority.
- Reason:** To promote and provide facilities for alternative forms of transport.
56. Parking spaces are to be provided in accordance with the approved plans referenced in condition 1, AS 2890.1 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.
57. Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the basement car park 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
58. A splay extending 2m from each driveway edge along the front boundaries 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. This shall be illustrated on plans submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials.

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

59. Design Verification issued by a registered architect is to be provided with the application for a Construction Certificate detailing the construction drawings and specifications are consistent with 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.

60. An *Environmental Enforcement Service Charge* must be paid to Council prior to the issue of a Construction Certificate.

The fee will 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.

61. An *Infrastructure and Restoration Administration Fee* must be paid to Council prior to the issue of a Construction Certificate.

The fee will 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.

62. A noise management plan must be prepared in accordance with the NSW Department of Environment, Climate Change and Water 'Interim Noise Construction Guidelines 2009' and accompany the application for a Construction Certificate. The Certifying Authority must be satisfied the Construction Noise Management Plan will minimise noise impacts on the community during the construction of the development.

The Construction Noise Management Plan must include:

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

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

63. Documentary evidence to the satisfaction of the Certifying Authority is to accompany the application for a Construction Certificate confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.

If a substation is required of the energy provider, it must be located internally within the buildings.

Substations are not permitted within the front setback of the site, within the street elevation of the building, within Council's road reserve and under no circumstances are permitted within the pocket parks located between Lots 301 – 302 and Lots 303 - 304.

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

- 63A. Prior to the issue of a Construction Certificate, a structural engineer shall certify that the basement car park below the pocket parks has been designed to withstand the load of maintenance vehicles, such as tractors, rigid trucks etc and is appropriately waterproofed.

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

## **PRIOR TO COMMENCEMENT OF WORKS**

---

64. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval 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) within 7 days; and
- (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

The Principal Certifying Authority must determine and advise the person having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.

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

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

- (a) Unauthorised entry of the work site is prohibited;
- (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- (c) The name, address and telephone number of the Principal Certifying Authority;
- (d) The development consent approved construction hours;



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

This condition does not apply where works are being carried out inside an existing building that is capable of being secured.

**Reason:** Statutory requirement.

66. A Hoarding Application to enclose public space is to be accompanied by the appropriate fee calculated according to Council's adopted fees and charges, together with details showing the location and type of hoarding proposed as required by Council's Hoarding Policy.

No works can commence until approval for the hoarding has been obtained.

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

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

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

68. Public risk insurance in the amount of not less than \$20 million (or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:

- Above;
- Below; or
- On

Any public land owned or controlled by Council. The public risk insurance must be maintained for the period during which these works are being undertaken.

The public risk insurance must be satisfactory to Council and list Council as an insured and/or interested party.

A copy of the insurance policy obtained must be forwarded to Council before any of the works commence.

**Note:** Applications for hoarding permits, vehicular crossing etc. will require evidence of insurance upon lodgement of the application.

**Reason:** To ensure the community is protected from the cost of any claim for damages arising from works authorised by this consent conducted above, below or on any public land owned or controlled by Council.

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

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

70. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:
- (a) expected volumes and types of waste to be generated during the excavation and construction stages of the development;
  - (b) destination of each type of waste, including the name, address and contact number for each receiving facility.

The Waste Management Plan is to be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of any works on site.

**Reason:** To ensure waste is managed and disposed of properly.

71. To limit the potential for damage to street trees in proximity to demolition, excavation and building works, appropriate trunk protection must be in place prior to the commencement of any works. Trunk protection must remain in place for the duration of the works and removed upon completion. Details demonstrating compliance is to be submitted to the Principal Certifying Authority.

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

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

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

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

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

The report should include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The

report must be completed by a consulting structural/geotechnical engineer as determined necessary by that qualified professional based on the excavations for the proposal and the recommendations of the geotechnical report. Where the consulting geotechnical engineer is of the opinion that no dilapidation reports for adjoining structures are required, certification to this effect shall be provided for approval by the Principal Certifying Authority prior to any excavation. A copy of the dilapidation report shall be submitted to Council.

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

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

**Reason:** Management of records.

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

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

75. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site are to be maintained in a safe and tidy manner. In this regards the following is to be undertaken:

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

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

76. Prior to any excavation and or stump grinding 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.
77. 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 before site works commence.
78. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to Section 138 of the Roads Act 1993:
- (a) On-street mobile plant:  
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.
  - (b) Storage of building materials and building waste containers (skips) on Council's property.
  - (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.
  - (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.

79. 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.
80. 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. 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.

## **DURING CONSTRUCTION OR WORKS**

---

81. All trees planted as required by the approved landscape plan are to be a minimum 45 litre container size. All shrubs planted as part of the approved landscape plan are to have a minimum 200mm container size.  
**Reason:** To ensure appropriate landscaping
82. Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.  
**Reason:** To ensure proper management of Council assets.
83. Oversized 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.
84. All works must be carried out so that:  
i. No materials are eroded, or likely to be eroded, are deposited, or likely to be deposited, on the bed or shore or into the waters of the Parramatta River; and  
ii. No materials are likely to be carried by natural forces to the bed, shore or waters of the Parramatta River;  
Any material that does enter the Parramatta River must be removed immediately.  
**Reason:** To ensure protection of waterways.
85. No trees on public property (footpaths, roads, reserves etc.) are to be removed or damaged during construction including for the erection of any fences, hoardings or other temporary works.  
**Reason:** To ensure adequate protection of existing environmental assets and to maintain public amenity.

86. The applicant is required to ensure that the shared pathway along the Parramatta River is to remain fully accessible to the public.  
**Reason:** To protect the amenity of public land.
87. All street trees adjacent to the site not approved for removal must be protected at all times during demolition and construction, in accordance with Council's Tree Preservation Order. Details demonstrating compliance is to be submitted to the Principal Certifying Authority.  
**Reason:** To ensure adequate protection of existing environmental assets and to maintain public amenity.
88. A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.  
**Reason:** To ensure compliance with this consent.
89. Dust control measures must be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Council's Guidelines for Controlling Dust from Construction Sites and Section 126 of the *Protection of the Environment Operations Act 1997*.  
**Reason:** To protect the amenity of the area.
90. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the construction, excavation or demolition must be stored or placed on/in Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the Roads Act 1993.  
**Reason:** To ensure pedestrian access.
91. All plant and equipment used in the construction of the development, including concrete pumps, wagons, lifts, mobile cranes, etc., must be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like must be discharged onto the building site, and is to be contained within the site boundaries.
- Alternatively, if plant and equipment is unable to be placed within the site, prior to the placement of skip bins, concrete pumps, cranes, machinery, any temporary traffic control measures or the like on Council's roads, footpath or nature strip, approval under Section 138 of the Roads Act 1993 is required.  
**Reason:** To protect public infrastructure and land and to ensure public safety and proper management of public land
92. The applicant must not enter or undertake any work within any adjoining public parks or reserves without the prior written consent of Council.  
**Reason:** Protection of existing public infrastructure and land and to ensure public safety and proper management of public land.

93. 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 of tools, machinery etc.) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 8.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

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

94. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:

- (a) The date and time of the complaint;
- (b) The means by which the complaint was made;
- (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that affect;
- (d) Nature of the complaints;
- (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
- (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

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

**Reason:** To allow the PCA/Council to respond to concerns raised by the public.

95. Noise emissions and vibration must be minimised, work is to be carried out in accordance with the NSW Department of Environment, Climate Change and Water's Interim Noise Construction Guidelines 2009 for noise emissions from demolition, excavation and construction activities. Vibration levels resulting from demolition and excavation activities must not exceed 5mm/sec peak particle velocity (PPV) when measured at the footing of any nearby building.

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

96. Any damage to Council assets that affect public safety during construction shall be rectified immediately to the satisfaction of Council at the cost of the developer.

**Reason:** To protect public infrastructure and maintain public safety.

97. All redundant laybacks and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate in accordance with Council's Standard Plan DS1. All costs shall be borne by the applicant, and works shall be completed to the satisfaction of Council. Proof of completion of the work shall be submitted to Council prior to the issue of an Occupation Certificate.

**Reason:** To provide satisfactory drainage.

98. Appropriate sign(s) shall be provided and maintained within the site at the point(s) of vehicular egress to compel all vehicles to stop before proceeding onto the public way.  
**Reason:** To ensure pedestrian safety
99. 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.
- Reason:** As prescribed under the Environmental Planning and Assessment Regulation 2000.
100. A Certificate of Compliance from the Consultant Designers and Applicant's Works Supervising Engineer shall be required to be submitted to the Certifying Authority for all six lots towards the satisfactory constructions completion of basement ramp crest levels, ramp grades, driveways and driveways grades, OSD tanks, subsequently complying entirely with this DA consent conditions Nos. **21 (I, ii, iii, iv & v), 28, 29, 30 and 32 (I, ii, vii, viii & ix)**. A copy of the above Compliance Certificate shall be forwarded to Council for record.  
**Reason:** To ensure the constructions of basement ramp crest levels, driveways and driveway grades and OSD tanks of all six lots are complied with this Development Consent.

## **PRIOR TO RELEASE OF OCCUPATION CERTIFICATE**

101. Occupation or use of each building is not permitted until an Occupation Certificate or Interim Occupation Certificate has been issued in accordance with the Environmental Planning and Assessment Act 1979 in relation to each building as part of the proposed staged construction.

The Occupation Certificate/s must not be issued unless the relevant 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 the prescribed fee must be forwarded to Council.

**Reason:** To complying with legislative requirements of the Environmental Planning and Assessment Act 1979.

102. The artworks to be provided as part of the approved Arts Plan must be installed in relation to that specific lot and adjacent public domain to Council's satisfaction before the issue of an Occupation Certificate for any dwelling within that specific lot.

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



103. Occupation or use of the buildings is not permitted until the detailed Landscape Plan required by this Consent has been implemented in relation to that specific Lot and the adjacent foreshore area (in the event of staged construction).

An occupation certificate or interim occupation certificate is not to be granted in relation to Lots 301-302 and Lots 303-304 until such time as the landscaping of the pocket parks has been completed and such completion has been verified by a qualified landscape architect/designer.

**Reason:** To ensure that the landscaping in the public domain adjacent to the site is completed as part of this development.

104. The acoustic measures required by the acoustic report and other acoustic conditions of this consent (relating to noise from Silverwater Road) must be implemented prior to issue of any Occupation Certificate or interim occupation certificate in relation to the residential flat buildings on Lot 306.

**Reason:** To minimise the impact of noise.

105. A street number is to be placed on each individual property/building forming part of this development approval in a readily visible location from a public place prior to the issue of an Occupation Certificate in relation to that building. The numbers are to have a minimum height of 75mm.

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

106. Prior to the issue of the occupation certificate, suitable provision of letterboxes shall be provided with the number and location of letterboxes to be agreed upon by Council.

**Reason:** To ensure acceptable provision of letterboxes.

107. Prior to the issue of the occupation certificate, convex mirrors are to be installed within all basement levels with its height and location adjusted to allow an existing driver a full view of the driveway in order to see if another vehicle is coming through.

**Reason:** To ensure safety of drivers.

108. 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 the final 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.

109. 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 following BASIX Certificates that relate to each lot, will be complied with prior to occupation of each building on the respective Lot.

Lot Number	BASIX Certificate Number
Lot 301	Certificate No. 503837M
Lot 302	Certificate No. 503869M
Lot 303	Certificate No. 503874M
Lot 304	Certificate No. 503946M
Lot 305	Certificate No. 503947M
Lot 306	Certificate No. 503960M

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

110. The developer must submit to the Principal Certifying Authority a letter from the telecommunications company confirming satisfactory arrangements have been made for the provision of telephone and cable television services, prior to the release of any Occupation Certificate or interim Occupation Certificate for each building.

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

111. Submission of documentation confirming satisfactory arrangements have been made for the provision of electricity services from an approved electrical energy provider prior to the issue of an Occupation Certificate or interim Occupation Certificate for each building.

**Reason:** To ensure appropriate electricity services are provided.

112. Prior to the issue of any Occupation Certificate or Interim Occupation certificate for each building, an intercom system must be provided in a convenient location adjacent to the basement entries of each residential flat building to enable visitor parking entry to be controlled from all dwellings.

**Reason:** To ensure convenient access is available for visitors to the building.

113. Prior to the issue of any Occupation Certificate in relation to each building, the developer is to provide the Principle Certifying Authority with evidence satisfactory arrangements have been made with a telecommunications provider to provide broadband access to the development.

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

**NOTE:** For more information contact NBN Co.

**Development Liaison Team:**

Call 1800 881 816

Email [newdevelopments@nbnco.com.au](mailto:newdevelopments@nbnco.com.au)

Web [www.nbnco.com.au/NewDevelopments](http://www.nbnco.com.au/NewDevelopments)

114. Prior to the issue of an Occupation Certificate or Interim Occupation Certificate in relation to the residential flat building at Lot 303, a Building Code of Australia Compliance Report is to be submitted to the Principle Certifying Authority demonstrating that Unit 108 N Store on Level 1 of the residential flat building on Lot 303 complies with all relevant aspects of the BCA.

**Reason:** To ensure that the commercial aspect of the proposal complies with the BCA

115. Prior to the issue of an Occupation Certificate for each building, a final fire safety certificate must be issued as required by Clause 153 of the Environmental Planning and Assessment Regulation 2000.

**Reason:** Protection of life and to comply with legislative requirements

116. Works-As-Executed stormwater plans shall be submitted to Certifying Authority prior to the issue of the Occupation Certificate for the relevant stage of the development, certifying that the OSD Tanks and stormwater drainage system have all been constructed and completed in accordance with the approved stormwater plans. The person issuing the Occupation Certificate shall ensure that:

- a) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate.
- b) Stormwater system including On-Site Detention systems have been built according to and comply with the requirements including the OSD storage volume as shown on the approved stormwater plan.
- c) 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.
- d) The Work-As-Executed plans have been prepared and signed by a registered surveyor (including Registration Number) certifying the accuracy of dimensions, levels, storage volumes, etc.
- e) As built On-Site Detention (OSD) storage volume calculated in tabular form (in incremental depth verses segmental area and volume table) and certified by the abovementioned registered surveyor.
- f) OSD Works-As-Executed survey certification form and dimensions form (refer to UPRCT Handbook - Form B10 and Form Attachment B).
- g) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook – Form B11 Certificate). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.

- h) Approved installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- i) Structural Engineer's Certificate for the OSD tank structure, basement pump-out tank structure, OSD basin (retaining) wall etc.
- j) 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.

117. Prior to issue of the Occupation Certificate for the relevant stage of the development 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 for the maintenance of the basement pump system and the on-site storm water detention facilities in the relevant stage upon satisfactory completion of OSD systems and following certification by the Hydraulic Engineer. The positive covenant and restriction on the use of land shall be created only upon completion of the OSD system and certification by a qualified practicing engineer to the satisfaction of the Certifying Authority. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E 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 (Not in 88B instrument)**. 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 and the detailed maintenance schedule, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

**Note:** The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW. Documents relating proof of completion of the stormwater system according to the approved stormwater plan and certification of the compliance shall be submitted to the council together with the positive covenant and restriction.

**Reason:** To ensure effective maintenance of on-site detention and basement pump out systems and facilities.

118. Prior to issue of the Occupation Certificate for the relevant stage, the Certifying Authority shall ensure that the Flood Evacuation Measures are implemented in the relevant stage, as per the Council's approved "Flood Emergency Detailed Response Plan". This shall also include the Flood Warning Systems & Response Systems and Evacuation Strategy and Procedures whilst displaying of the laminated Evacuation Plan at a prominent location within the relevant Lot and all other prominent locations around the relevant Lot, for the residents/visitors to be aware of the potential flooding of the basement, in the event of major flooding. The Flood Emergency Detailed Response Plan shall also include the Strata Manager and the people nominated as part of the flood warden group (members of the Body

Corporate) to monitor the drainage system of the property in the basement as well as pay attention to the weather reports during heavy rainfalls. A Certificate of Compliance for the satisfactory implementation of the flood related basement evacuation strategy, from the Consulting Civil Engineer shall be submitted to the Certifying Authority and Council, prior to the issue of the Occupation Certificate for the relevant stage. A copy of the above Compliance Certificate shall be attached to the Occupation Certificate for the relevant stage, when forwarded to Council for record.

**Reason:** To ensure the property owners / occupants are aware of the procedure in the event of flooding.

119. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works for the relevant stage. This report is to ascertain whether the construction works for the relevant stage 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:
- (a) compare the post-construction dilapidation/damage report with the pre-construction dilapidation/ damage report, and
  - (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
  - (c) carry out site inspection to verify the report and ensure that any damage to the public infrastructure as a result of the construction work for the relevant stage have been rectified immediately by the developer at his/her cost.

A copy of this report is to be forwarded to Council for record.

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

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

Following application a “Notice of Requirements” will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the Co-coordinator, since building of water/sewer extensions can be time consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the Construction Certificate being issued.

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

121. The Occupation Certificate shall not be issued for each development lot until documentary evidence of compliance with the relevant conditions of

Development Consent No. DA/770/2013 has been submitted to the Certifying Authority.

**Note:** Development lots are considered to be Lots 301-302, Lots 303-304, Lot 305 and Lot 306.

**Reason:** To ensure compliance with the Environmental Planning and Assessment Act 1979 and conditions of consent.

122. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:

- (a) The development application and Construction Certificate number as registered;
- (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.

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

## USE OF THE SITE

---

123. The unit labelled 108 N Store and its immediate curtilage on Level 1 of the residential flat building located on Lot 303 is to be used as a Neighbourhood Shop.

Hours of operation are limited to 7.00am to 7.00pm Monday to Saturday and 8.00am to 6.00pm on a Sunday or public holiday.

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

124. Trade waste water associated with the neighbourhood shop use must be disposed of in accordance with the permit requirements issued by Sydney Water.

**Reason:** To ensure compliance with Sydney Water's requirements and protect the environment.

125. The strata body of each residential flat building is responsible for the removal of all graffiti from the building/structures/signage and/or fencing on the respective properties within 48 hours of its application.

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

126. Any external plant/air-conditioning system must not exceed a noise level of 5 dBA above the background noise level when measured at the boundaries of the property.

**Reason:** To minimise noise impact of mechanical equipment.

127. A sign, legible from the street frontage, must be permanently displayed detailing the location of visitor parking on the site. The visitor car parking spaces must be clearly marked.

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