

## **SCHEDULE 2 - CONDITIONS OF CONSENT**

**(Updated 31/10/2014 following JRPP Meeting held on 30/10/2014)**

**DEVELOPMENT APPLICATION 183/2014**

**189 MACQUARIE STREET PARRAMATTA AND PART 34 HASSALL STREET  
PARRAMATTA**

**DESCRIPTION- TREE REMOVAL, DEMOLITION OF CARPARK, INSTALLATION OF  
RETAINING WALLS AND BULK EXCAVATION**

### **GENERAL TERMS OF APPROVAL**

#### **NSW Office of Water**

##### **General**

1. Unless further investigations can demonstrate that less than 3 mega litres/year will need to be pumped during construction, an authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.
2. The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be in contact with groundwater watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for reasonably foreseeable high water table elevations to prevent potential future inundation.
3. Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.

##### **Prior to Excavation**

4. Measurements of groundwater levels beneath the site from a minimum of three monitoring bores shall be taken. These measurements should be included in a report provided to the NSW Office of Water in support of the dewatering licence application, along with a schedule and indicative level predictions for the proposed ongoing water level monitoring from the date of consent until at least two months after the cessation of pumping shall be included in the report.
5. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and a report provided to the NSW Office of Water. Details of the parameters (e.g. permeability predicted by slug-testing, pump-testing or other means) and calculation method shall be included in the report submitted to the NSW Office of Water in support of the dewatering licence.

6. A copy of a valid development consent for the project shall be provided in the report to the NSW Office of Water.
7. Groundwater quality testing shall be conducted on a suitable number of samples using a suitable suite of analytes and completed by a NATA-certified laboratory, with the results collated and certificates appended to a report supplied to the NSW Office of Water. Samples must be taken prior to the substantial commencement of dewatering, and a schedule of the ongoing testing throughout the dewatering activity shall be included in the report. Collection and testing and interpretation of results must be done by suitably qualified persons and NATA certified laboratory identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria.
8. The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided to the NSW Office of Water. The disposal of any contaminated pumped groundwater (sometimes referred to as "tailwater") must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.
9. Contaminated groundwater (i.e. above appropriate NEPM 2013 investigation thresholds) shall not be reinjected into any aquifer without the specific authorisation of the NSW Environment Protection Authority (any such discharge would be regulated through a licence issued under the *Protection of the Environment Operations Act 1997*. The reinjection system design and treatment methods to remove contaminants shall be nominated and a report provided to the NSW Office of Water. The quality of any pumped water that is to be reinjected must be compatible with, or improve the intrinsic or ambient groundwater in the vicinity of the reinjection site.

#### **During Excavation**

10. Engineering measures designed to transfer groundwater around the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.
11. Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.
12. Measurement and monitoring arrangements to the satisfaction of the NSW Office of Water are to be implemented. Monthly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a report provided to the NSW Office of Water after dewatering has ceased. Daily records of groundwater levels are to be kept and a report provided to the NSW Office of Water after dewatering has ceased.
13. Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc) without the controlling authorities approval and/or owners consent. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.

14. Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.
15. The location and construction of groundwater extraction works that are abandoned are to be recorded and a report provided to the NSW Office of Water after dewatering has ceased. The method of abandonment is to be identified in the documentation.
16. Access to groundwater management works used in the activity is to be provided to permit inspection when required by the NSW Office of Water under appropriate safety procedures.

### **Following Excavation**

17. All monitoring records must be provided to the NSW Office of Water after the required monitoring period has ended together with a detailed interpreted hydrogeological report identifying all actual resource and third party impacts.

## **GENERAL TERMS OF APPROVAL**

### **NSW Office of Environment and Heritage**

1. As Aboriginal objects will be harmed as a result of this development, a Section 90 Aboriginal Heritage Impact Permit (AHIP) must be sought and granted prior to the commencement of works.
2. The AHIP application must be accompanied by appropriate documentation and mapping as outlined on page 6 of *Applying Cultural Heritage Community Consultation Requirements for Proponents 2010*.
3. Consultation with the Aboriginal community undertaken as part of an AHIP application must be in accordance with the *Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010*.
4. The Aboriginal objects identified at the Clay Cliff Creek levee must be registered on the AHIMS before an AHIP application is submitted to OEH and the allocated site number must accompany the AHIP application.
5. If Aboriginal objects are to be reburied on site, the exact location must be provided on a map with grid co-ordinates, as part of the AHIP application. The method of ensuring protection of these objects in perpetuity must also be included with the application. Please note, once the objects have been reburied, their location must be registered on AHIMS and any future impacts may require a separate AHIP. If a suitable location for reburial on site cannot be found, an appropriate alternative must be submitted as part of the application.
6. The report provided to NSW Office of Environment and Heritage for review has a number of inconsistencies in relation to the description of the proposed development. For example, on page

11 it is described as being a 27 storey building requiring excavation to a depth of 4m below ground surface. On page 18 it is described as a 29 storey building requiring excavation to a depth of 9m below ground surface. Please clarify as part of the AHIP application.

## GENERAL MATTERS

### Approved Development

- 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 and/or any plan annotations:

Drawing No.	Title	Prepared By	Date
A01 Issue 02	Shoring Plan	Krikis Taylor Architects	23.01.2014
A02 Issue 02	Shoring Elevations	Krikis Taylor Architects	23.01.2014
16609 (B) 1/2	Contours and Spot Levels Over No 189 Macquarie Street, Parramatta	R.J. Hansen	12.03.2012
16609 (B) 2/2	Contours and Spot Levels Over No 189 Macquarie Street, Parramatta	R.J. Hansen	12.03.2012
S0100 Rev C	Shoring Plan	Australian Consulting Engineers	30.01.2014
S0101 Rev B	Shoring Elevations Sheet 1	Australian Consulting Engineers	29.01.2014
D14 Rev B	Erosion and Sediment Control Plan	Australian Consulting Engineers	January 2013
D15 Rev B	Erosion and Sediment Control Details	Australian Consulting Engineers	January 2013
D01 Ref F	Temporary Overland Flow Path Diversion	Australian Consulting Engineers	25.09.2014

Document Title	Prepared By	Date
Traffic & Pedestrian Management Plan	Thompson Stanbury Associates	26.05.2014
Construction Environmental Management Plan	Environmental Investigation Services	28.05.2014
Environmental Site Assessment Report	Environmental Investigation Services	December 2011
Additional Environmental Assessment Report	Environmental Investigation Services	March 2012
Tree Report and Arboricultural Impact Assessment	Birds Tree Consulting	17.07.2014

2. Reference is made to the development application submitted for the site as proposed under DA 852/2013. Approval for any works that forms part of this development consent do not foreshadow approval for any component of DA 852/2013.
3. The applicant is to amend the development application submitted under 852/2013 such that the works that form part of this consent are deleted from that application.
4. The approved overland flow drainage pipe or equivalent system (Condition 1) must remain in place until the approval and construction of a replacement system which specifically solely drains the property at 183 Macquarie Street Parramatta is completed.

### Tree Retention

5. The following trees are to be retained:

Tree No.	Name	Common Name	Location	DBH Diameter at breast height (mm)	Tree Protection Zone (m)
24	<i>Casuarina glauca</i>	She-oak	Adjoining property – Refer to arborist report	240	2.8
25	<i>Casuarina glauca</i>	She-oak	Adjoining property – Refer to arborist report	195	2.3
26	<i>Casuarina glauca</i>	She-oak	Adjoining property – Refer to arborist report	320	3.8
27	<i>Casuarina glauca</i>	She-oak	Adjoining property – Refer to arborist report	195	2.3
28	<i>Casuarina glauca</i>	She-oak	Adjoining property – Refer to arborist report	215	2.5
29	<i>Casuarina glauca</i>	She-oak	Adjoining property – Refer to arborist report	375	4.5
30	<i>Casuarina glauca</i>	She-oak	Adjoining property – Refer to arborist report	245	3

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

## Environmental Health

### 6. Site Audit Statement

The applicant is to engage a NSW EPA accredited site auditor to undertake an independent assessment of the remediation to address the requirements of the *Contaminated Land Management Act 1997*. A Site Audit Statement and Completion Certificate is to be submitted to Council and the principal certifying authority on the completion of remediation works.

**Reason:** To ensure the contamination assessment and remediation process has adhered to appropriate standards, procedures and guidelines.

### 7. Imported Fill

All fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristics for site drainage purposes.

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

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

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

### 8. Signage – Contamination

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

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

### 9. Requirement to notify about new contamination evidence

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

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

10. Remediation

All remediation works shall be carried out in accordance with clauses 17 and 18 of *State Environmental Planning Policy No.55 – Remediation of Land*.

**Reason:** To comply with the statutory requirements of *State Environmental Planning Policy No. 55*.

## PRIOR TO THE RELEASE OF A CONSTRUCTION CERTIFICATE

### General

11. Prior to commencement of any construction works associated with the approved development (including excavation), 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.

12. 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.

13. 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.

14. 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.

15. A Class A Hoarding at minimum 1.8 metre height clad with plywood for all areas that are accessible along any of the property boundaries is to be erected. A Hoarding Application is to be submitted and 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 demolition or works can commence until approval for the hoarding has been obtained.

16. In accordance with Section 80A(6)(a) of the *Environmental Planning and Assessment Act 1979*, security bonds payable to Council for 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/approval associated with the allotment, (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate is not required.

The bond may be paid, by EFTPOS, Bank Cheque, or be an unconditional Bank Guarantee.

Should a bank guarantee be lodged it must:

- a) Have no expiry date;
- b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA 183/2014;
- 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 must be provided as follows:

Bond Type	Amount
Hoarding – Macquarie Street	\$20,000
Hoarding – Hassall Street	\$20,000
<b>TOTAL</b>	<b>\$40,000</b>

17. A monetary contribution comprising \$151,030.15 is payable to Parramatta City Council in accordance with Section 94A of the *Environmental Planning and Assessment Act 1979* and the *Parramatta City Centre Civic Improvement Plan (Amendment No. 1)*. Payment must be by EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a construction certificate. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. *Parramatta City Centre Civic Improvement Plan (Amendment No. 1)* can be viewed on Council's website at: [http://www.parracity.nsw.gov.au/build/forms\\_and\\_planning\\_controls/developer\\_contributions](http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions).

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



18. The approved plans must be submitted to a Sydney Water Quick Check agent or Sydney Water 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. This process will result in the plans being appropriately stamped.

The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to the issue of any Construction Certificate and works commencing on site.

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

19. The applicant shall ensure that all necessary processes and approvals have been obtained from relevant service providers or agencies with regard to the decommissioning and demolition of existing utility services.

### **Flood Management**

20. Prior to the issue of the Construction Certificate, a detailed Site Emergency Flood Response Plan is to be prepared and submitted to the Principal Certifying Authority and Council for approval, with particular reference to this development, incorporating the following:

Site based Flood Warning Systems (including adequate sensible warning systems covering Claycliff Creek Catchment, signage, exits, evacuation routes, flood preparedness plan for 'flash flood' regime relevant to Claycliff Creek Catchment etc) to be established for the workers, sub-contractors, occupiers, owner staff and site management personnel related to the construction site in order for them being fully informed and aware of the flood information whilst being prepared for any impending flood event. A laminated Evacuation Plan is to be displayed at a prominent location within the site, for persons within the site to be aware of the potential flooding of the excavated site in the event of major flooding.

21. Effective Site Flood Management Frameworks and Procedures for a detailed Evacuation Plan and Mitigation measures due to Environmental impacts from potential site discharged polluted water/site runoff, silt & debris, safe pedestrian movement and avoiding any road closure, which essentially would not support any reliance on SES & other government agencies aid during the site flood emergency situation and the responsible person for each areas for implementation of the Site Emergency Flood Response Pan. The Plan shall also include the Site Manager and the people nominated as part of the flood warden group (members of the site workers') to monitor the drainage system along Hassall Street and Wigram Street as well as pay attention to the weather reports during heavy rainfalls.

**Reasons:** To ensure an effective site flood emergency response management plan is in place in order to minimise the flood/environmental impacts in the vicinity of the development.

## Development Engineering

22. Where any shoring is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings certified as being adequate for their intended purpose prepared by an appropriately qualified and practising structural engineer, showing all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements, shall be submitted with the Construction Certificate. A copy of this documentation must be provided to the Council for record purposes. Any recommendations made by the qualified practising structural engineer shall be complied with.

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

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

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

24. No work shall commence on the stormwater system until the detailed final stormwater plan has been approved by the Principal Certifying Authority. Prior to the approval of the drainage plan, the person issuing the Construction Certificate shall ensure that:

- a) The final drainage plan is consistent with the DA approved Concept Drainage Plan, "*Temporary Overland Flow Path Diversion Plan*, Drawing No. D01, Revision F, dated 25.09.14, prepared by Australian Consulting Engineers".
- b) All existing physical timber barriers at the ground level, along the common boundary cyclone fencing are removed and re-graded to guide the overland flows to drain into the proposed pits.
- c) The installation of all the drainage components shall be completed by a licenced contractor, in accordance with AS3500.3 and the Building Code of Australia.

**Reason:** To ensure adequate drainage system is in place and it complies with the requirements.

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

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

26. The Council is to ensure the full implementation of the *Parramatta CBD Car Parking Strategy Communication Plan*, dated October 30, 2014 and prepared by Straight Talk, from the date of this consent until the full replacement of the current car parking area on site.

## **PRIOR TO THE COMMENCEMENT OF WORKS:**

### **Tree Protection**

27. Tree Protection as per Arborist Report

The trees identified for protection within the arborist report prepared by Bird's Tree Consultancy dated 17 July, 2014 shall be protected prior to and during the demolition/construction process in accordance with this document.

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

28. Protective Fencing

Retained trees or treed areas must be fenced with a 1.8 metre high chain wire link or welded mesh fence. The fence is to be fully supported at grade, to minimise the disturbance of existing ground conditions within the canopy drip line or the setback nominated on the approved landscaping plan. The fencing is to be in place for the duration of the construction works. "Tree Protection Zone" signage must be attached to the protective fencing.

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

29. Pruning/Works on Tree(s)

Consent from Council must be obtained prior to any pruning works being undertaken on any tree on site, or any trees located in adjoining properties.

All approved pruning works must be supervised by an Australian Qualifications Framework (AQF) Level 3 certified Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.

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

30. Tree Protection During Construction

Tree protection measures are to be installed and maintained, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 – "Protection of Trees on Development Sites".

**Reason:** To ensure trees are protected during construction.

31. Waste Management Plan – Demolition

An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the: expected volumes and types of waste to be generated during the demolition and construction stages of the development; 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.

**Development Engineering**

32. A minimum of five (5) working days prior to any demolition work commencing, written notice is to be given to Parramatta City Council and all adjoining occupants. This notice is to include:

- The date when demolition will be commenced;
- Details of the principal contractors name, address, contact telephone number during business hours;
- Council's after hours contact number; and
- The appropriate NSW WorkCover Authority licence.

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

33. Prior to commencement of works, 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.

34. Prior to the commencement of works, adequate toilet facilities are to be provided on the work site.

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

35. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site are to be maintained in a safe and tidy manner. In this regards the following is to be undertaken:
- (a) all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
  - (b) all site boundaries are to be secured and maintained to prevent unauthorised access to the site
  - (c) all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis
  - (d) the site is to be maintained clear of weeds
  - (e) all grassed areas are to be mown on a monthly basis

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

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

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

37. 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*:

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.

Storage of building materials and building waste containers (skips) on Council's property.

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.

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.

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

- (a) Must preserve and protect the building from damage;
- (b) If necessary, must underpin and support the adjoining building in an approved manner; and
- (c) Must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

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

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

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

39. Work is to be completed in accordance with Safe Work Australia's *Code of Practice- Excavation Work* and *Australian Standard 3798 Guidelines on Earthworks for Commercial and Residential Developments*.
40. Prior to the commencement of any excavation works on site and at the time of payment of bond/s, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) a dilapidation report on the visible and structural condition of neighbouring buildings to the east and west of the site as well as for the adjoining road surfaces and CCTV survey of any buried services which adjoin the site.

The dilapidation report is also required to document/record any existing damage to kerbs, footpaths, roads, nature strips, street trees and furniture within street frontage/s bounding the site up to and including the centre of the road.

The report must include a photographic survey of the adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structure

members and other similar items. The report must be completed by a consulting structural/geotechnical engineer.

**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 as well as protecting adjoining properties.

41. All demolition and excavation work will need to be carried out by suitably experienced and insured contractors.

**Reason:** To ensure protection of existing built infrastructure.

42. In accordance with the requirements in the Geotechnical Investigation report prepared by JK Geotechnics dated 12 April 2013, prior to the commencement of bulk excavation, details are to be obtained (such as by excavation of test pits) for any adjoining building footings which are to be located within 2H of the bulk excavation, where H is the depth of excavation in metres.

**Reason:** To ensure protection of existing built infrastructure.

43. In accordance with the requirements in the Geotechnical Investigation report prepared by JK Geotechnics dated 12 April 2013, prior to the commencement of bulk excavation, confirmation must be made of the configuration and number of levels for all neighbouring basements. This will enable appropriate consideration to be made during design works, particularly for shoring design.

**Reason:** To ensure protection of existing built infrastructure.

44. The side boundaries of the site must be enclosed by a 1.8m high security fence, as per Condition 14, erected to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.

**Reason:** To ensure public safety.

45. 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 24 hour 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.

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

47. Prior to works commencing the project arborist shall certify that relevant tree protection measures have been completed as outlined in the Birds Tree Arborist report dated 12 February 2013.

No materials (including waste and soil), equipment, structures or good of any type are to be stored, kept or placed within 5m from the trunk or within the drip line of any tree.

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

## **Traffic**

48. 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.

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

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

50. In accordance with the recommendations from KF Williams and Associates, an impermeable flood barrier (sandbag wall or segmental block with impermeable membrane such as polyethylene film) is to be provided to the north-western, northern and north-eastern ends of the site and set at RL 6.36 to a maximum height of 0.5 metres.



## DURING WORKS:

### Tree Removal

51. All excavation within the prescribed tree protection area of trees to be retained within the adjoining properties is to be supervised by an Australian Qualifications Framework (AQF) Level 3 arborist. If during excavation the Arborist identifies remedial work is necessary, it is to be supervised by this Arborist.

Once the work is completed a written report detailing the remedial work undertaken is to be forwarded to the Principal Certifying Authority. No excavation is permitted within the prescribed structural root zone of these trees.

**Reason:** To provide adequate protection of trees.

52. The trees to be removed are:

Tree No.	Species	Common Name	Location
1	<i>Corymbia citriodora</i>	Lemon-scented Gum	Refer to arborist report
2	<i>Corymbia maculata</i>	Spotted Gum	Refer to arborist report
3	<i>Pyrus calleryana</i>	Callery Pear	Refer to arborist report
4	<i>Castenospermum australe</i>	Black Bean	Refer to arborist report
6	<i>Lagunaria patersonii</i>	Norfolk Island Hibiscus	Refer to arborist report
7	<i>Cinnamomum camphora</i>	Camphor laurel	Refer to arborist report
8	<i>Callistemon citrinus</i>	Bottlebrush	Refer to arborist report
9	<i>Callistemon citrinus</i>	Bottlebrush	Refer to arborist report
10	<i>Callistemon citrinus</i>	Bottlebrush	Refer to arborist report
11	<i>Callistemon citrinus</i>	Bottlebrush	Refer to arborist report
12	<i>Melia azederach</i>	White Cedar	Refer to arborist report
13	<i>Callistemon citrinus</i>	Bottlebrush	Refer to arborist report

14	<i>Callistemon citrinus</i>	Bottlebrush	Refer to arborist report
15	<i>Callistemon citrinus</i>	Bottlebrush	Refer to arborist report
16	<i>Callistemon citrinus</i>	Bottlebrush	Refer to arborist report
17	<i>Melia azederach</i>	White Cedar	Refer to arborist report
18	<i>Callistemon citrinus</i>	Bottlebrush	Refer to arborist report

**Reason:** To facilitate development.

53. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the *Draft Tree Work Code of Practice 2007*.

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

### Development Engineering

54. 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.

55. 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.

56. 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.

57. 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.

58. 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.

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

Such circumstances where extended hours may be permitted include:

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

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

59. 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.

60. In accordance with the requirements in the Geotechnical Investigation report prepared by JK Geotechnics dated 12 April 2013, additional monitoring of groundwater levels within the standpipes installed into BH 103 and BH 104 is to be undertaken as well as ongoing monitoring of ground water seepage into excavation.

61. Demolition work must be carried out in accordance with *Australian Standard 2601-2001 - Demolition of Structures* and the requirements of the NSW Work Cover Authority.

**Reason:** To ensure appropriate demolition practices occur.

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

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

63. 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.

## **Environmental Health**

64. Importation of Clean Fill

Any fill material imported to the site is to be virgin excavated natural material (VENM) and is to be certified as such by a suitably qualified industry professional. Records of each individual certification are to be kept on site and produced for inspection when requested.

**Reason:** To ensure the site does not become contaminated and appropriate compaction levels can be achieved.

65. Asbestos – records of disposal and licensed waste facility

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

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

66. Asbestos – handled and disposed of by licensed facility

All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the *Protection of the Environment Operations (Waste) Regulation 2005* and the EPA publication '*Waste Classification Guidelines – 2009*' and any other regulatory instrument as amended.

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

67. Waste Data Maintained

A Waste Data file is to be maintained, recording building/demolition contractor's details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.

**Reason:** To confirm waste minimisation objectives under *Parramatta Development Control Plan 2011* are met.

68. Liquid and Solid Wastes

Liquid and solid wastes generated on site shall be collected, transported and disposed of in accordance with the *Protection of the Environment Operations (Waste) Regulation 2005* and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the *Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999)*.

**Reason:** To prevent pollution of the environment.

69. Soil and Water Management – Stockpiles

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

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

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

70. Contaminated waste to licensed EPA landfill

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

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

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

71. A Completion Certificate must be obtained from the Principal Certifying Authority and a copy submitted to Council.

72. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained. Application must be made through an authorized Water Servicing Coordinator.

Please refer to the "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 the assessment of an application a “Notice of Requirements” will detail:

- Water and sewer extensions/upgrades to be built; and
- Charges that will be incurred.

Please make early contact with the co-ordinator, since building of water/sewer extensions can be time consuming and may impact on other services, the building, and driveway or landscape design.

Note that the Notice of Requirements must be obtained and submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

**Reason:** Statutory requirement.

73. The proposed works must comply with the Building Code of Australia.

**Reason:** To ensure compliance with the Building Code of Australia.

74. Prior to the issuing of the Completion Certificate, a Geotechnical inspection report/certificate confirming that the excavation/shoring works are suitable for the proposed development must be provided to the Principal Certifying Authority.

75. A Completion Certificate shall not be issued until documentary evidence of compliance with the entire Development Consent and the Construction Certificate has been submitted to the Principal Certifying Authority.

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