

A.) Pursuant to Section 89 of the Environmental Planning and Assessment Act, 1979:

The Sydney West Joint Regional Planning Panel as the determining authority is of the opinion that the following variations under Clause 4.6 of *Parramatta Local Environmental Plan 2011* are supportable:

- (i) Maximum height under Clause 4.3 of Parramatta Local Environmental Plan 2011
- (ii) Floor space ratio under Clause 4.4 of Parramatta Local Environmental Plan 2011

That the Sydney West Joint Regional Planning Panel is also of the opinion that strict compliance with the development standards is unreasonable and unnecessary in the circumstances of this case as the proposal satisfies the objectives of the development standard and will not compromise the amenity of the locality.

B.) Part A and C are to be deleted.

Part B is moved to 'Prior to issue of Subdivision Certificate) – Condition 101A.

General Matters

1. The development is to be carried out in accordance with the following plans endorsed with Council's Stamp as well as the documentation listed below, except where amended by other conditions of this consent:

Drawing N ^o	Dated
Master Plan Height (overlay). Drawing No. A-1101. Revision 2.	15 August 2014
Master Plan FSR (overlay). Drawing No. A-1101. Revision 2.	15 August 2014
UWS Westmead – Stormwater Layout Plan. Drawing No. MMD-333625-C-DR-SC01-DA-0041. Revision E.	18 September 2014
Subdivision Plan. Drawing No. PR123658-007. Issue B.	11 December 2014
Civil Drawings. MMD – 333625-C-DR-SC01-DA-0001 to MMD – 333625-C-DR-SC01-DA-0007, MMD – 333625-C-DR-SC01-DA-0011 and MMD – 333625-C-DR-SC01-DA-0012, MMD – 333625-C-DR-SC01-DA-0015. MMD – 333625-C-DR-SC01-DA-0020 to MMD – 333625-C-DR-SC01-DA-0025, MMD – 333625-C-DR-SC01-DA-0030 to MMD – 333625-C-DR-SC01-DA-0032, MMD – 333625-C-DR-SC01-DA-0040 and MMD – 333625-C-DR-	21 June 2014.

Drawing N ^o	Dated
SC01-DA-0041, MMD – 333625-C-DR-SC01-DA-0050, MMD – 333625-C-DR-SC01-DA-0055, MMD – 333625-C-DR-SC01-DA-0060, MMD – 333625-C-DR-SC01-DA-0070 to MMD – 333625-C-DR-SC01-DA-0072 and MMD – 333625-C-DR-SC01-DA-0080. Revision D.	
UWS Substations, Street Lighting, HV Cabling and Communication. Drawing No. E01. Revision C.	19 June 2014
Tree Retention and Removal Plan. Drawing No. TRA-LS-DR-DA-0001. Revision D.	15 June 2014
Public Domain Plan. Drawing No. TRA-LS-DR-DA-0003. Revision F.	10 February 2015
Public Domain Plan. Drawing No. TRA-LS-DR-DA-0004. Revision F.	15 June 2014
Landscape Sections. Drawing No. TRA-LS-DR-DA-0005. Revision C.	15 June 2014
Illustrative Public Domain Landscape Plan. Drawing No. TRA-LS-DR-DA-0002. Revision F.	10 February 2015.
Demolition Plan. Drawing No. A-1101. Revision 01.	Undated.

Document(s)	Dated
Arborist Report. Prepared by Andrew Morton.	April 2014
Civil DA Report. Prepared by Mott MacDonald	April 2014
S140 Excavation Permit from NSW Heritage Council.	Undated
Landscape Design Report. Reference Number: _REV_02_15	August 2014
Non-Indigenous Archeological Assessment.	February 2008 – Updated April 2014
Site Audit Report and Remedial Action Plan. Ref No. 0503-1107.	November 2012
UWS Transport Management and Accessibility Plan.	14 February 2013
Private Domain Guidelines.	February 2015

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. Approval is granted for the demolition of **Buildings H, K, L, M, N and P (referred to in Condition 1)** currently on the UWS site, subject to compliance with the following:
- a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - *Demolition of Structures*. **Note:** Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.
 - b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
 - c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to Parramatta City Council for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to the commencement date nominated in the written notice.
 - d) Demolition work is to comply with Work Cover's document "Your Guide to Working with Asbestos".
 - e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. Advice on the availability of these signs can be obtained by telephoning Council's Customer Service Centre during business hours on 9806 5050. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.
 - f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
 - g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
 - h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" **and** a current WorkCover "Class 2 (Restricted) Asbestos Licence".

- i.) Demolition of **each** building is to be completed within 60 days of commencement.
 - j) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
 - k) 1.8m high Protective fencing is to be installed to prevent public access to the site.
 - l) A pedestrian and Traffic Management Plan must be prepared prior to commencement of demolition and/or excavation. It must include details of the:
 - (i) Proposed ingress and egress of vehicles to and from the construction site;
 - (ii) Proposed protection of pedestrians adjacent to the site;
 - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
 - m) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
 - n) Before demolition works begin, adequate toilet facilities are to be provided.
 - o) After completion, the applicant must notify Parramatta City Council within 7 days to assess the site and ensure compliance with AS2601-2001 – *Demolition of Structures*.
 - p) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - q) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent.
3. **No portion of structures including any fencing and/or gates shall encroach onto or over adjoining properties with the exception of temporary fencing required to enable offsite works to be undertaken.**
Reason: To ensure that the building is erected in accordance with the approval granted and within the boundaries of the site.
4. All footings and walls adjacent to a boundary must be set out by a registered surveyor. Prior to commencement of any works a surveyor's certificate must be prepared indicating the position of external walls in relation to the boundaries of the allotment.
Reason: To ensure that the building is erected in accordance with the approval granted and within the boundaries of the site.
5. All works must be carried out in accordance with the current provisions of the Building Code of Australia.
Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

6. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600 mm in height or within 900 mm of any property boundary.

Reason: To minimise impact on adjoining properties.

7. Trees to be retained are (refer to Arboricultural Assessment Report by Earthscape Horticultural Services 'Version 2' dated 11 April 2014):
Tree No's – 10 -16 and 63

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

8. 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 characteristic for site drainage purposes.

Council will 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.

9. 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.

10. 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.

11. All remediation works shall be carried out in accordance with clauses 17 and 18 of State Environmental Planning Policy 55 - Remediation of Land.

Reason: To comply with the statutory requirements of State Environmental Planning Policy 55. .

12. 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.

12A) Any development and/or additional works on the individual lots are subject to a separate approval and is to be consistent with the concept plan.

Reason: To comply with the *Environmental Planning & Assessment Act 1979*

12B) All landscape works shall be maintained for a minimum period of two (2) years following the subdivision works, in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

12C) Stormwater planning and design for the subdivision shall allow for the provision of on-site detention for each lot, which will occur when that lot is individually developed.

Prior to commencement of work

13. Prior to the commencement of works 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.

14. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer.

Reason: To minimise costs to Council

15. Prior to the commencement of any works on the site the applicant must prepare a Construction and Traffic Management Plan. 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 RMS 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. This Plan is to be submitted to Council for approval.

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.

16. 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 are to be obtained prior to any works commencing. 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.

17. 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 see Your Business then Building and Developing then Building and Renovating or telephone 13 20 92. Stamped plans by Sydney Water are to be obtained prior to works commencing on site.

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

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

Advisory note: Please refer to the web site www.sydneywater.com.au for:

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

18. A heavy duty vehicular crossing shall be constructed for Lot 1 in accordance with Council's Standard Drawing numbers [DS9 & DS10].

A Vehicle 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.

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

Reason: To ensure proper management of Council assets.

20. The demolition sites must be enclosed with a 1.8 m high security fence to prohibit unauthorised access. The fence is to be located wholly within the development site prior to commencement of any works on site.

Reason: To ensure public safety.

21. 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 prepared 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.

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

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

23. Prior to commencement of any works, including demolition and excavation, the applicant is to prepare documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters and drainage pits.

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

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

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

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

25. 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.

26. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to received written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

Reason: To prevent any damage to underground utility services.

27. During the works, the applicant shall fulfil any requirements for archaeological survey as per the conditions of consent to the Application under the S.140 of the Heritage Act, issued by the NSW Heritage Branch of Department of Planning. The applicant shall implement any archaeological watching brief as required by the conditions of consent to the Application under the S.140 of the Heritage Act, issued by the NSW Heritage Branch of Department of Planning.

If any European archaeological relics are discovered (or are believed to be discovered) during works, the works shall cease and the NSW Heritage Branch of Department of Planning shall be notified, in accordance with the NSW Heritage Act.

If any Aboriginal archaeological relics are discovered (or are believed to be discovered) during works, the works shall cease and the NSW Department of Environment and Climate Change (National Parks and Wildlife Service) shall

be notified, in accordance with the NSW National Parks and Wildlife Service Act.

28. Erosion and sediment control measures are to be installed in accordance with the publication 'Urban Stormwater: Soils and Construction "The Blue Book" 2004 (4th edition) prior to the commencement of any demolition, excavation or construction works upon the site. These measures are to be maintained throughout the entire works.
Reason: To ensure soil and water management controls are in place be site works commence.
29. An Archival Photographic Recording of the building L is to be prepared and submitted to Council prior to its demolition. This report is be prepared by a professional photographer. The recording is to be submitted in CD and hardcopy format.
Reason: To facilitate the recording of Parramatta's Heritage.
30. Prior to the commencement of any demolition, excavation or construction works, tree protection measures shall be installed in accordance with the Australian Qualifications Framework (AQF) Level 5 arborist recommendations as outlined in Section 8 of the submitted Arboricultural Assessment Report by Earthscape Horticultural Services 'Version 2' dated 11 April 2014.
Reason: To ensure the protection of the existing trees on the site.
31. The trees identified for protection on Tree Retention & Removal Plan by Mott MacDonald (Drawing No TRA-LS-DR-DA-0001/Rev 'D') dated 15 August 2014 and referenced in Arboricultural Assessment Report by Earthscape Horticultural Services 'Version 2' dated 11 April 2014 shall be protected prior to and during the demolition/construction process in accordance with the documents referenced above.
Reason: To ensure the protection of the tree(s) to be retained on the site.
32. Deleted.
33. No materials (including waste and soil), equipment, structures or goods of any type are to be stored, kept or placed within 5m of the trunk of a tree or within the drip line of any tree.
Reason: To ensure the protection of the tree(s) to be retained on the site.
34. No service, structure, conduit or the like is permitted to be fixed or attached to any tree.
Reason: To ensure the protection of the tree(s).
35. 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.
36. All trees supplied above a 25L container size must be grown and planted in accordance with:

- *Clarke, R 1996 Purchasing Landscape Trees: A guide to assessing tree quality.*
- *Natspec Guide No.2.*

Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown to Natspec guidelines. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

Reason: To minimise plant failure rate and ensure quality of stock utilised.

37. Trees to be removed are (refer to Arboricultural Assessment Report by Earthscape Horticultural Services 'Version 2' dated 11 April 2014): Tree No's – 4-9, 18-22, 56-62, 64, 73-76, 82-85, 89-96, 98, 102 & 103
Reason: To facilitate development.

38. 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 planted within the site are able to reach their required potential.

39. 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.

40. An updated Waste Management Plan is to be submitted immediately to Council detailing the:
 (a) expected volumes and types of waste to be generated during the demolition 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 Council prior to commencement of any works on site.

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

41. The applicant is to provide copies of all validation and monitoring reports to Council's Environment and Health unit for the site remediation prior to works commencing.
Reason: To ensure compliance with clause 17 and 18 of State Environmental Planning Policy 55 - Remediation of Land.

42. A detailed public domain plan to be submitted to Council's Urban Design team for review and approval. The detailed public domain plan must address the inclusion of levels, lighting and signage poles, street trees and pits, paving, furniture, raised crossings and other as detailed in the PCC Public Domain Guidelines.

Advisory Note 1: Previous Urban Design advice that *Magnolia grandiflora* 'Little Gem' is not supported as a street tree due to its small, compact habit which provides inadequate shade. Street trees must be large with spreading canopy. (Large = 16-20m high / Canopy = 16m spread).

Advisory Note 2: Previous Urban Design comments that street trees must be included along Road 2 frontage, at minimum 12m spacing (incorporated within parking bays where necessary).

43. The location of Easement B (a 4.5 metre Pedestrian Accessway and referred to in Condition 1) is to be in accordance with the subdivision plan (ie, on Lot 1). The illustrative concept Plan and Landscape Plan are to be amended indicating the relocation of Easement B to Lot 1 to reflect the subdivision plan.
44. Deleted.
45. The proposed development for University of Western Sydney Westmead site shall comply with the approved Westmead Precinct Development Traffic Management and Accessibility Plan (TMAP).
46. The provision of the fourth leg to the traffic control lights and civil works on Darcy Road shall be designed to meet Roads and Maritime requirements and endorsed and drawn by a suitably qualified practitioner. The design requirements shall be in accordance with Austroads Road Design Guide, Roads and Maritime Traffic Signal Design Manual and other Australian Codes of Practice. Roads and Maritime Services fees for administration, plan checking, civil works inspections and project management shall be paid by the developer prior to the commencement of works. The developer may be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. Please note that the WAD will need to be executed prior to Roads and Maritime assessment of the detailed civil design plans.
Reason: To comply with Austroads Road Design Guide, Roads and Maritime Traffic Signal Design Manual and other Australian Codes of Practice.
47. The proposed phasing arrangement for the intersection of Darcy Road and the proposed site access is to be submitted to Roads and Maritime Services for review and approval along with the Traffic Control Signal (TCS) plan. Details are to be illustrated on plans submitted with the construction certificate.
Reason: To comply with the Austroads Road Design Guide, Roads and Maritime Traffic Signal Design Manual and other Australian Codes of Practice.
48. The proposed service vehicle access on Darcy Road shall be restricted to left-in only. Details are to be illustrated on plans submitted with the construction certificate.
Reason: To comply with Council and RMS requirements.

49. The boundary alignment along Hawkesbury Road for 20m on the approach to Road 1 off Hawkesbury Road is to be set back 3m (with an additional 3m splay of the approach). This is to allow Council to install a vehicle queuing area on the approach to a possible future pedestrian crossing across Road 1 at Hawkesbury Road.
Reason: To allow for future pedestrian safety improvements to be provided with minimal effect on motorist safety and traffic flow.
50. A raised concrete median on Hawkesbury Road is to be provided in order to physically restrict right turn movements into the subject site and is to be constructed in accordance with Austroads Road Design Guide, RMS and Council's requirements. Details are to be illustrated on plans submitted with the construction certificate.
Reason: To comply with Council and RMS requirements.
51. The two pedestrian crossings (including 1 raised crossing) and other traffic facilities for the UWS Westmead subdivision, as shown in the submitted civil design plans are to be installed. Detailed design plans of these traffic facilities, in accordance with the Austroads Road Design Guide, Roads and Maritime Services Technical Direction and design guidelines and other relevant Australian Standards and Council requirements, are to be submitted to Parramatta Traffic Committee for consideration and approval by Council, through Council's Service Manager – Traffic and Transport. Details are to be illustrated on plans submitted with the construction certificate.
Reason: To comply with Council and RMS requirements.
52. Adequate sight distance to pedestrians at the existing UWS driveway access point on Hawkesbury Road is to be provided to ensure safe pedestrian and vehicle movements.
Reason: To comply with Council requirements, Australian Standards, RMS Design Guidelines and ensure pedestrian safety.
53. The layout of the proposed car parking areas, loading docks and access driveway associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004 and AS 2890.2 - 2002 for heavy vehicle usage.
Reason: To comply with Council's requirements and Australian Standards.
54. All stormwater drainage works to be designed and constructed to Council standards and requirements.
55. All pipes to be rubber ring jointed, reinforced concrete, minimum 375mm diameter.
56. No stormwater drainage works to commence on site until detailed design drawings have been submitted to and approved by Catchment Management Section/ Civil Infrastructure Unit of Council.

The detailed drawings shall include:-

- Longitudinal sections with pit/pipe invert levels, pipe sizes/slopes and ground levels.
- Grade line analysis.
- Location and level of all utilities to confirm no conflict with such services and compliance with all utility authority requirements in regard to minimum clearances, access etc.

57. Deleted.

58. All kerb ramps at signalised intersection (Darcy Rd) shall be to RMS standards and approvals. Internal roads shall be designed in accordance with PCC DS4 and/or DS40.
59. The splitter island at the intersection with Hawkesbury Road shall be redesigned to have a minimum of 2.0m width at pedestrian access point and be 3.0m wide, as per RMS Technical Direction for pedestrian refuge island. The finishes of this island are to be reviewed and approved by PCC Urban Design team prior to works commencing.
60. The raised crossing is to be 100mm high, top, flat platform to be a min 4.0m wide. The ramps are to be 1:15 grade. Threshold to be flushed with top of kerb to allow for smooth and easy pedestrian access. Drainage pits (both sides) are to be installed on high side to ensure no water ponding. Grate channels are not recommended as they are prone to blockages and frequent, regular maintenance. The threshold ramps are to have piano key installed. All traffic linemarking to be approve thermoplastic. The Threshold concrete is not to have silica based additives (accelerator).
61. The applicant is to prepare a formal detailed pavement design in accordance with NAT Spec 0042 and submitted to Council prior to works commencing.
62. Prior to works commencing, the following is to be undertaken:
- a) A geotechnical investigation is to be conducted for the assessment of subgrade in terms of its strength (CBR testing) and its plasticity and swell potential.
 - b) Conduct assessment of a design traffic over a design period that cannot be less than 25 years
 - c) Propose the pavement and surface materials and pavement composition
 - d) Design pavement thickness in accordance with Austroads Pavement Design Guide
 - e) Provide detailed design of the interface between proposed pavements for internal roads and existing pavements at Darcy Road and Hawkesbury Road
 - f) Submit in such way prepared pavement design to Council for all roads that will be dedicated to Council after construction

63. The applicant is to revise its general notes (Drawing MMD-333625-C-DR-SC01-DA-0002) to be consistent with pavement details on Drawing MMD-333625-C-DR-SC01-DA-0032 and NAT Spec or RMS Specifications.
64. Details of the proposed reinforced concrete pipe-work shall be submitted for Council's City Works Unit approval prior to commencement of any work.
Reason: To ensure adequate stormwater infrastructure is provided.
65. With the exception of Lot 1 which shall not require on site detention, all on site detention planning shall be generally in accordance with the Upper Parramatta River Catchment Management Trust Handbook Edition 3 or 4, subject to amendments by Council. (Note: For the Edition 3 method, such calculations shall assume an SSR of 470 L/ha and a PSD of 80 l/s/ha.).
66. Facilities for connection of stormwater drainage to each proposed lot shall be provided within each lot to Council specifications. This shall include allowing for on-site detention design requirements, levels etc.
67. Deleted.

During Works

68. The Full height (150mm) Kerb & Gutter as per Council's Standard Drawing DS1 (type 1) is to be provided instead of the mountable kerb and gutter.
69. Kerb Ramps to be constructed in accordance with Council Standard Drawing DS4 (or adopted treatment) with a minimum ramp opening of 1.50m not 1.0m as shown on plan number MMD-333625-C-DR-SC01-DA-0032 (page 76 of document number D03294833).
70. The vehicular entry/exits to the site within Council's road reserve must prevent sediment from being tracked out from the development site. This area must be laid with a non-slip, hard-surface material which will not wash into the street drainage system or watercourse. The access point is to remain free of any sediment build-up at all times.
Reason: To ensure soil and water management controls are in place be site works commence.
71. All redundant lay-backs and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate.
Reason: To provide satisfactory drainage.
72. A copy of this development consent, stamped plans and accompanying documentation is to be retained for reference with the approved plans on-site during the course of any works. Appropriate builders, contractors or sub-contractors shall be furnished with a copy of the notice of determination and accompanying documentation.
Reason: To ensure compliance with this consent.

73. Noise from the construction, excavation and/or demolition activities associated with the development shall comply with the NSW Department of Environment and Conservation's Environmental Noise Manual and the Protection of the Environment Operations Act 1997.
Reason: To protect the amenity of the area.
74. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction in accordance with the requirements of the NSW Department of Environment and Conservation (DEC). Dust nuisance to surrounding properties should be minimised.
Reason: To protect the amenity of the area.
75. No building materials skip bins, concrete pumps, cranes, machinery, signs or vehicles used in or resulting from the construction, excavation or demolition relating to the development shall be stored or placed on Council's footpath, nature strip or roadway.
Reason: To ensure pedestrian access.
76. All plant and equipment used in the construction of the development, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries.
Reason: To ensure public safety and amenity on public land.
77. All demolition, building and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring tools etc) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 8.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.
Reason: To protect the amenity of the area.
78. The applicant shall record details of all complaints received during the construction period in an up to date complaints register. The register shall record, but not necessarily be limited to:
- (a) The date and time of the complaint;
 - (b) The means by which the complaint was made;
 - (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that effect;
 - (d) Nature of the complaints;
 - (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
 - (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

79. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site.
Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.
80. 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.
81. 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:
 - (b) Storage of building materials and building waste containers (skips) on Council's property.
 - (c) Utilise Council property for the storage of building materials and building waste containers (skips).
 - (d) Alteration to existing Kerbside restrictions, adjacent to the development and provision of construction zones.
- Reason:** Proper management of public land.
82. 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 be site works commence.
83. 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.
84. The grades of all driveways, including transitions, must comply with Australian Standard 2890.1 (2004) - "Off-street car parking" to prevent the underside of the vehicles scraping.
Reason: To provide suitable vehicle access without disruption to pedestrian and vehicular traffic.
85. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works".
Reason: To ensure Council's assets are appropriately constructed.

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

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

Reason: To prevent pollution of waterways.

87. During demolition, excavation and construction, there is a need to ensure that there will be no adverse impact on the integrity of Sydney Trains facilities, or the operation of the network.

Reason: To comply with Transport NSW Requirements.

88. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and 1500V catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.

Reason: To comply with Transport NSW Requirements.

89. During the construction, the applicant is to follow relevant NAT Specifications or RMS Specifications (e.g. NAT Spec 1141 or RMS 3051 and R71 for construction of flexible pavement layers, NAT SPEC 1143 or RMS R106 or R107 for spray seals, NAT Spec 1144 or RMS R116 or R117 for asphaltic concrete etc). The applicant is to provide results of construction testing required under these Specifications. The constructed pavements will be accepted if testing is done in accordance to Specifications and if the results comply with Specification requirements.

Reason: To comply with Transport NSW Requirements.

Prior to the Issue of the Subdivision Certificate

90. A) A monetary contribution comprising **\$69,132.95** is payable to Parramatta City Council pursuant to 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 **subdivision 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.

Or

B) Alternatively UWS may enter into a Voluntary Planning Agreement with Parramatta City Council to provide public benefit comprising the dedication of land for public open space and embellishment instead of paying the calculated S94A contributions . Any VPA shall be implemented registered on the title of the land prior to the registration of the subdivision with the NSW LTO.

91. The proposed relocation of the taxi rank and on-street parking shall be referred to Parramatta Traffic Committee under delegated authority and Council for approval prior to the issue of the subdivision certificate.

Reason: To comply with Australian Standards, RMS Design Guidelines and ensure vehicular and pedestrian safety.

Advisory Note: This process can take in excess of 6 weeks, so early commencement of this process is encouraged.

92. Works-As-Executed stormwater plans shall be prepared, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The following documentation is to be contain:

- The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate and variations are marked in red ink.
- The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- As built On-Site Detention (OSD) storage volume calculated in tabular form (depth verses volume table).
- OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
- Approved verses installed Drainage Design (OSD) Calculation Sheet.
- The original Work-As-Executed plans and all documents mentioned above have been submitted to Council's Development Services Unit.

Reason: To ensure works comply with approved plans and adequate information are available for Council to update the Upper Parramatta River Catchment Trust.

93. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of an Subdivision Certificate. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92.

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

94. All redundant lay-backs and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate.

Reason: To provide satisfactory drainage.

95. A qualified Landscape Architect/Designer must certify the completed works are in accordance with the approved landscape plan.

Reason: To ensure restoration of environmental amenity.

96. A separate application must be made to Council to obtain approval of the plan of subdivision under Part 4A of the *Environmental Planning and Assessment Act 1979*.

Prior to the issue of the Part 4A (Subdivision Certificate) the applicant shall submit an original plan of subdivision plus 1 digital disc (eg. CD ROM) for Council's endorsement. The following information shall also be submitted:

- (a) Evidence that all conditions of the Development Consent have been satisfied (including required utility provider certificates etc).
- (b) Evidence of payment of all relevant fees.
- (c) The 88B/E instrument (if required).
- (d) All surveyors or engineers' certification if required by the development consent

Reason: To comply with the *Environmental Planning & Assessment Act 1979*

97. 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 the subdivision Certificate.

Reason: To ensure appropriate electricity services are provided.

98. Prior to the issue of the subdivision certificate, provision of a 40kph maximum speed limit at all times in High Pedestrian Activity Areas (HPAA) in accordance with the requirements of the RMS is to be introduced and applied through RMS. This creates a safer road environment for all road users, particularly for pedestrians, cyclists and children.

Reason: To satisfy the requirements of the NSW RMS, comply with Australian Standards, RMS Design Guidelines and ensure appropriate vehicular and pedestrian safety.

99. Prior to the issue of the Subdivision Certificate the applicant must prepare an embellishment plan that is to be approved by Council's Open Space Team. The embellishment plan must include details of earthworks, turning, landscape plantings, and provisions of pathways, seating and any required tree pruning. The embellishment of the park must occur in accordance with this embellishment plan prior to the issue of the subdivision certificate.

- 99A) The applicant must enter into an appropriate legal agreement to the satisfaction of Parramatta City Council ensure that the maintenance of the two parks is provided for by UWS for a period of 5 years from the registration of the subdivision with the NSW lands title office.

- 99B) Prior to the issue of the Subdivision Certificate the applicant must prepare maintenance plan that is to be approved by Council's Open Space Team. The

maintenance plan must include details of frequency of mowing, watering, rubbish removal, pruning and plant maintenance.

100. All works intended to be dedicated to Council, including roads, footpaths, drainage, lighting, furniture and other landscape treatments shall be designed and constructed to Council's specifications, standards and reasonable satisfaction prior to release of the subdivision certificate.
101. The applicant shall submit with or before the application to Council for a Subdivision Certificate provision for the creation of appropriate positive covenants easements and restrictions on the respective titles to secure the future construction and maintenance of on-site detention and stormwater retention systems to Council specifications and requirements.

101A) Prior to the issue of the Subdivision Certificate, suitable documentary evidence is to be submitted to Council that the subdivision under DA/699/2014 has been registered with the NSW Land and Property Information Service.

The Use of the site

102. Moved to 'General Matters' – condition 12A.
103. Moved to 'General Matters' – condition 12B
104. Moved to 'General Matters' – condition 12C