

Recommendation

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979:

- (a) **That** the consent authority grants development consent to Development Application No. DA/358/2015 for the construction of a three level basement car park as well as ancillary essential services at ground level and land subdivision at 153 Macquarie Street and Part 1A Civic Place, PARRAMATTA NSW 2150 for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the following conditions:

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
Site Plan. Drawing No. DA1002.	30 September 2015
Site Plan – Basement Level 1. Drawing No. DA1003.	30 September 2015
Future Site Plan. Drawing No. DA1004.	30 September 2015
Basement 3 Floor Plan. Drawing No. DA1010.	30 September 2015
Basement 2 Floor Plan. Drawing No. DA1011.	30 September 2015
Basement 1 Floor Plan. Drawing No. DA1012.	30 September 2015
Essential Services - Ground Level. Drawing No. DA3013.	30 September 2015
Essential Services - Elevations. Drawing No. DA3101.	30 September 2015
Essential Services - North-South Section. Drawing No. DA3211.	30 September 2015
Essential Services - East-West Section. Drawing No. DA3212.	30 September 2015
Essential Services Structural Setout Plan – Ground Level. Drawing No. DA2013.	30 September 2015
Alignment Plan - Ground Level	30 September 2015
Alignment Sections	30 September 2015

Document(s)	Dated
Statement of Environmental Effects	15 June 2015
Response to Request for Further Information Letter	17 September 2015
Proposed Amendments and Assessment of Planning Impacts Letter	17 September 2015
Construction Management Plan	September 2015
Transport Impact Assessment	15 September 2015
Site Stormwater Management Report	15 June 2015
Stormwater Concept Plans and Cover Letter	16 September 2015
Flood Emergency Response Strategy Report	15 June 2015
Geotechnical Desktop Assessment	June 2015
Noise Impact Assessment	15 June 2015
Statement of Heritage Impact	June 2015
Building Code of Australia Report	12 June 2015
Access Review	12 June 2015
Ecologically Sustainable Development Report	12 June 2015
Building Services Spatial Brief - Mech, Elec, Fire, Hyd &	12 June 2015

Document(s)	Dated
VT	
Letter of Support, Fire Safety Engineering	12 June 2015
Operational Waste Management Plan	12 June 2015
Site Contamination Assessment – Cover Advice	28 May 2015
Detailed Site Investigation	27 May 2015
Overarching Site Remedial Action Plan	5 June 2015
Contamination and Geotechnical Letter	1 July 2015
Detailed Survey Plan	4 June 2015
DA Sediment and Erosion Plan	20 May 2015
DA Area Schedule – PS3 Basement	16 September 2015
Detailed Cost Estimate	16 September 2015
Letter regarding Convict Drain	10 September 2015
Draft Plan of Subdivision of Lot 303 DP 502198, Lot 1 DP 863571 and Lot 2 DP 1192394	30 July 2015
General Terms of Approval issued by NSW Department of Primary Industries – Water (DPI Water) (10 ERM2015/0548)	28 July 2015

Note: In the event of any inconsistency between the architectural plans and the stormwater plans, the architectural plans shall prevail to the extent of the inconsistency.

Reason: To ensure the work is carried out in accordance with the approved plans.

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

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

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

Reason: To ensure compliance with legislative requirements.

Prior to the Issue of a Construction Certificate

4. A monetary contribution comprising \$525,148.35 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. 4). Payment must be by EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a construction certificate/ subdivision certificate [choose one]. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. Parramatta City Centre Civic Improvement Plan (Amendment No. 4) can be viewed on Council's website at:
http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contribution
[ns.](#)

Reason: To comply with legislative requirements.

5. The Construction Certificate will not be issued over any part of the site requiring an authorisation for an aquifer interference activity (construction dewatering) until a copy of the authorisation has been provided to the PCA and Council.

The applicant must apply NSW Department of Primary Industries – Water (DPI Water) for an authorisation before the commencement of any work or activity that requires the extraction of groundwater.

Reason: As per the requirements of DPI Water.

6. Prior to the issue of the Construction Certificate, revised slab levels and alignment plans shall be submitted to the Council for approval by Council's Urban Design Manager. The final slab levels shall be designed to demonstrate that they integrate with the surrounding public domain and shall address alignment levels, drainage, paving and surface treatments, awnings, utilities, kerb ramps, vehicle footpath crossings, pedestrian safety, access etc. The plans shall be consistent with the most current advice of Council's Public Domain Guidelines and Specifications for Parramatta Square.

Reason: To ensure that the development connects appropriately to the adjoining public domain.

7. The recommendations of the Noise Impact Assessment by Acoustic Logic dated 15 June 2015 are to be adopted into the design, construction and operation of the proposed development in their entirety.

Reason: To ensure compliance with the relevant noise criteria in the building composition and usage.

8. Plans for the construction of a temporary construction access ramp to PS1 at 169 Macquarie Street are to be submitted to the satisfaction of Council's Traffic Engineer, prior to the release of the Construction Certificate.

Reason: To ensure that Council's obligations under are fulfilled in relation to the requirements of the 'Easement Deed' with PS1 (Leighton Properties).

9. Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, prior to the issue of the Construction Certificate, the Certifying Authority, shall be satisfied that the operation on an individual piece of equipment or operation of equipment in combination will not exceed more than 5db (A) above the background level during the day when measured at the site's boundaries and shall not exceed the background level at night (10.00pm – 6.00am) when measured at the boundary of the site.

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

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

10. An *Environmental Enforcement Service Charge* is to be paid to Council prior to the issue of a Construction Certificate. The fee paid is to be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

Reason: To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

11. An *Infrastructure and Restoration Administration Fee* is to be paid to Council prior to the issue of a Construction Certificate. The fee to be paid is to be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

Reason: To comply with Council's adopted Fees and Charges Document and to ensure compliance with conditions of consent.

12. The Construction Certificate is not to be released unless the Principal Certifying Authority is satisfied that the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

Reason: To ensure that the levy is paid.

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

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

14. 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. The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to the issue of the Construction Certificate.

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

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

Reason: To comply with Sydney Water requirements.

15. Prior to the issue of a Construction Certificate, the applicant shall nominate an appropriately qualified civil engineer (at least NPER) to supervise all public area civil and drainage works to ensure that they are constructed in compliance with Council's "Guidelines for Public Domain Works". The engineer shall:
- (a) Provide an acceptance in writing to supervise sufficient of the works to ensure compliance with:
 - i. all relevant statutory requirements,
 - ii. all relevant conditions of development consent
 - iii. construction requirements detailed in the above Specification, and
 - iv. the requirements of all legislation relating to environmental protection,
 - (a) On completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval and,
 - (b) Certify that the Works as Executed plans are true and correct record of what has been built.
16. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifying Authority which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required, prior to the release of the Construction Certificate.

Reason: To minimise costs to Council.

17. Prior to the issue of any Construction Certificate, the applicant must submit a Construction and/or Traffic Management Plan to the satisfaction of the Principal Certifying Authority. The following matters must be specifically addressed in the Plan:
- (a) Construction Management Plan for the Site in accordance with the approved Draft Construction Management Plan referred to in Condition 1. 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/or Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.

Reason: To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the environmental amenity and ensures the ongoing safety and protection of people.

18. 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.

19. Electricity provision to the site is to be designed so that it can be connected underground when the street supply is relocated underground. Certification from the energy infrastructure authority addressing their requirements for this provision is to be provided to the Principal Certifying Authority prior to the issuing of any Construction Certificate.

Reason: To enable future upgrading of electricity services.

20. Any exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1. Details demonstrating compliance are to be provided with the Construction Certificate.

Reason: To preserve community health and ensure compliance with acceptable standards.

21. Where work is likely to disturb or impact upon a utility installations, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the proposed works must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

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

Reason: To protect public safety.

23. Council property adjoining the construction site must be fully supported at all times during all demolition, excavation and construction works. Details of any required shoring, propping and anchoring devices adjoining Council property, are to be prepared by a qualified structural or geotechnical engineer. These details must accompany an application for a Construction Certificate and be to the satisfaction of the Principal Certifying Authority (PCA). A copy of these details must be forwarded to Council prior to any work being commenced.

Backfilling of excavations adjoining Council property or any void remaining at the completion of the construction between the building and Council property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure.

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

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

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

- a) Have no expiry date;
- b) Be forwarded direct from the issuing bank with a cover letter that refers to Development Consent DA 171/2014;
- 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 shall be provided as follows

Nature strip and roadway \$40,000

Reason: To provide security for the proper completion of works.

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

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, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer in accordance with the recommendation of the geotechnical report. A copy of the dilapidation report must be submitted to Council.

In the event access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principle Certifying Authority.

Note: This documentation is for record keeping purposes only, and can be made available to an applicant or affected property owner should it be requested to resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

Reason: Management of records.

26. The Principal Certifying Authority shall ensure that the following engineering issues are addressed adequately as required:
- a) The engineering recommendations for the development site; design and Flood Emergency Strategy Report, dated 15 June 2015 are implemented and incorporated within the design and shown on the engineering plans prior to the issue of the Construction Certificate. In this regard, compliance with this condition shall be certified in writing by a suitably qualified professional engineer to the satisfaction of the Principal Certifying Authority and certification submitted to Parramatta City Council together with the application for the Construction Certificate.
 - b) Structural certification from a suitably qualified structural engineer is to be submitted with the application for a Construction Certificate indicating that all columns, buildings and structures have been designed to withstand inundation, debris and buoyancy forces of floodwater through the site for all storms up to and including the Probable Maximum Flood (PMF) assuming total pipe blockage.
 - c) The building façade shall be designed so as not to obstruct flood flows in extreme flood events.

- d) Access and egress points to all buildings are to be positioned away from overland flow paths and above 100 year flood level plus freeboard.
- e) Provision of a flood gate near the entrance up to the PMF level.
- f) Any fencing or property security is to be 'flood friendly' allowing flood waters to easily pass through
- g) The dedicated 'refuge area' located above the (PMF) level for each building of this proposed development shall be clearly indicated on the final architectural and engineering plans.

Note: The design and certification of the building and the Flood Management and Evacuation Plan shall be submitted to the satisfaction of the Principal Certifying Authority together with the application for the Construction Certificate.

Reason: To ensure the structure can withstand flooding events.

- 27. The loading dock facilities and shared area for the development is to comply with AS2890.1: 2004 Parking Facilities Part 1: Off-street car parking and AS2890.2: 2002 Parking Facilities Part 1: Off-street commercial vehicle facilities. Certification or details of compliance are to be submitted with the Construction Certificate plans.

Reason: To ensure the loading dock complies with Australian Standards.

- 28. Parking spaces are to be provided in accordance with the approved plans referenced in condition 1 and with AS 2890.1, AS2890.2 and AS 2890.6 (as shown in the GTA Transport Impact Assessment Appendix A). Details are to be illustrated on plans submitted with the construction certificate.

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

- 29. A total of 12 accessible car-parking spaces must be provided as part of the total car-parking requirements. These spaces and access to these spaces must comply with AS2890.6 - 'Parking facilities' - 'Off-street parking for people with disabilities and AS1428.1 - 'Design for access and mobility' - General requirements for access - New building work' 2001 and 2009 and AS1428.4 - 'Design for access and mobility' - 'Tactile ground surface indicators for orientation of people with vision impairment' - 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009.

Details are to accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

- 30. At least 193 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-1993. Details are to be illustrated on plans submitted with the construction certificate.

A total of 26 showers and 250 lockers in three separate change locations are to be provided onsite for use as 'end of trip' facilities, as shown on basement 1 floor plan (DA1012 – 16/09/2015). Details are to be illustrated on plans submitted with the relevant Construction Certificate.

Reason: To comply with Council's parking requirements.

31. 16 motorcycle spaces are to be provided on-site and used accordingly. The motorcycle spaces are to comply with Figure 2.7 of AS 2890.1- 2004. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

32. Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. **Note that the non-compliance issues as indicated in Appendix A of the Transport Impact Report are to be addressed accordingly.** Details are to be illustrated on plans submitted with the construction certificate.

Reason: To ensure appropriate vehicular manoeuvring is provided

33. A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site from Macquarie Street. This shall be illustrated on plans submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials.

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

34. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 (2004) – “Off-street car parking” to prevent the underside of the vehicles scraping. Details are to be provided with the application for a Construction Certificate.

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

35. The applicant must apply for a road-opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas).

No drainage work can be carried out within the Council owned land without this permit being issued. A copy is required to be kept on site.

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

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

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

Substations are not permitted within the front setback of the site or within the street elevation of the building; unless such a location has been outlined and approved on the Council stamped Development Application plans. Substations are not permitted within Council's road reserve.

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

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

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

38. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing numbers [DS9 & DS10]. Details must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

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.

39. All mechanical exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1 - 1998 – 'The use of ventilation and air conditioning in buildings' – 'Fire and smoke control in multi-compartmented buildings'. Details showing compliance are to accompany an application for a Construction Certificate.

Reason: To preserve community health and ensure compliance with acceptable standards.

40. There are to be no building overhangs over public land of more than 400mm unless shown on the approved plans.

Reason: To protect public land.

41. All roof water and surface water is to be connected to an approved drainage system. Details are to be shown on the plans and documentation accompanying the application for a Construction Certificate.

Reason: To ensure satisfactory stormwater disposal.

42. The proposed kerb inlet pit must be constructed in accordance with Council Standard Plan No. DS21. Details are to form part of the Construction Certificate documentation.

Reason: To ensure appropriate drainage.

43. Details of the proposed 450mm (Macquarie Street) diameter reinforced concrete pipe-work within DETAILS shall be submitted for Council's City Works Unit approval prior to commencement of any work.

Reason: To ensure adequate stormwater infrastructure is provided.

44. The basement stormwater pump-out system, must be designed and constructed to include the following:

- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.

- (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - (i) The permissible site discharge (PSD) rate; or
 - (ii) The rate of inflow for the one hour, 5 year ARI storm event.
- (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- (d) A 100 mm freeboard to all parking spaces.
- (e) Submission of full hydraulic details and pump manufacturers specifications.
- (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

Plans and design calculations along with certification from the designer indicating that the design complies with the above requirements are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason: To ensure satisfactory storm water disposal.

- 45. All cleaning and washing of motor vehicles must be carried out in a designated area and must be drained to a sump and cleansed via a coalescing plate separator prior to discharge into the sewer. Documentary evidence is required from the Trade Waste Section of the Sydney Water Corporation Ltd confirming satisfactory arrangements have been made with the Corporation with respect to the disposal of dirty water into the sewerage system, prior to the issue of the Construction Certificate.

Reason: To ensure satisfactory storm water disposal.

- 46. The building must be designed and certified by a suitably qualified practicing engineer to ensure the building does not fail due to flooding.

A final Flood Evacuation & Management Plan must also be prepared by a suitably qualified professional.

The design and certification of the building and the Flood Evacuation & Management Plan must be prepared and submitted with the application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure the structure can withstand flooding events.

- 47. The building must include a flood warning alarm system activated by a float valve. Details must be provided with the Construction Certificate plans and documentation to the satisfaction of the Certifying Authority.

Reason: To ensure the flood warning system is installed.

- 48. No work is to commence on the storm water system until the detailed final storm water plans have been approved by the Certifying Authority.

The Applicant has demonstrated that the site is subject to flooding in the 1% AEP (100 year) event. Therefore the requirement for On Site stormwater Detention (OSD) may be deleted if the applicant can demonstrate to the satisfaction of the Principal Certifying Authority that such deletion will not worsen, or may benefit, local or downstream flooding for the 1% AEP flood event.

Reason: To comply with Council's requirements.

49. During construction of the basement, the full site must be flood-proofed to prevent ingress of floodwaters for at least the 1 in 100 year (1% AEP) event plus 500mm freeboard. This is to be done by provision of continuous perimeter bunding to a level of RL. 10.7m AHD minimum, including crests on temporary accessways and stormwater lines. Construction of the bunding and accessway crests is to be sufficiently durable so as to withstand the forces of floodwaters and construction activity. Details are to be submitted for the approval of the Principal Certifying Authority prior to release of the Construction Certificate.

Reason: To ensure adequate flood protection.

50. Throughout site disturbance and the construction phase the Applicant shall adequately manage (minimise, capture, store, treat and dispose of) stormwater, groundwater and floodwater runoff to prevent transport off site of pollution, including sediments, colloidal soil particles, oil and grease and other contaminants.

The Applicant is also directed to the need to comply with the requirements of the Protection of the Environment Operations Act 1997 and any EPA licence requirements. Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation to the development, the Protection of the Environment Operations Act 1997 must be complied with in, and in connection with, the carrying out of the development.

In addition to any EPA licence requirements, Council requires the following discharge water quality standards be achieved at all times throughout the construction phase of the development: pH 6.5-8.5; Total Suspended Solids (TSS) 50 mg/l ; Oil and Grease 'Not visible'.

Prior to release of the Construction Certificate the Applicant must provide to the Principal Certifying Authority for approval full details of the construction phase stormwater and groundwater collection and discharge pollution control and quality management system, including full plant and equipment details, an operational and monitoring plan and evidence of ability to achieve the required performance.

- a. Council notes the Applicant's has proposed a stormwater and groundwater collection and treatment system. This includes construction of a holding pond at the base of the excavation, then pumping of this water from the pond via a rising main to a 'WETSEP 60' type treatment plant (or equivalent) to treat all waste stormwater and groundwater prior to discharge. The Applicant shall provide and operate this, or any other appropriate system approved by the Principal Certifying Authority, to achieve Council's requirement for effective discharge water quality management from this site throughout the construction phase.
- b. The Applicant is advised that details of sediment and erosion control and flood bunding shown on the submitted drawing labelled: 'DA Sediment and Erosion Plan', Revision P3 dated 25 09 2015; are not specifically approved and may not satisfy the above requirements.

Reason: To adequately manage (minimise, capture, store, treat and dispose of) stormwater, groundwater and floodwater runoff.

Prior to the Commencement of Work

51. A Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:
- a) Expected volumes and types of waste to be generated during the demolition, excavation and construction stages of the development; and
 - b) Destination of each type of waste, including the name, address and contact number for each receiving facility.

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

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

52. A Pedestrian Management and Safety Plan must be submitted to the satisfaction of the Principal Certifying Authority prior to the commencement of any works on site. It must include details of the:
- a) Proposed ingress and egress of vehicles to and from the construction site
 - b) Proposed protection of pedestrians adjacent to the site
 - c) Proposed pedestrian management whilst vehicles are entering and leaving the site
 - d) Proposed route of construction vehicles to and from the site
 - e) Proposed measures to protect workers and pedestrians from overhead hazards.

The Management Plan shall be implemented during all phases of the development until the Occupation Certificate is issued.

Reason: To maintain pedestrian and vehicular safety during construction.

53. Prior to any works commencing on the driveway crossover and prior to the issue of any Occupation Certificate, an application is required for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment which must be obtained from Parramatta City Council. All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

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

Note 1: This development consent is for works wholly within the property. Development consent does not imply approval of the footpath or driveway levels, materials or location within the road reserve, regardless of whether the information is shown on the development application plans.

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

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

54. A Noise Management Plan must be submitted to Council for approval prior to any demolition, excavation or construction work commencing and complied with during all

works. The plan must be prepared by a suitably qualified person, who possesses qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

The plan must include, but not be limited to the following:

- (a) Confirmation of the level of community engagement that has, is and will be undertaken with the Building Managers/occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (b) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum.
- (c) What course of action will be taken following receipt of a complaint concerning site noise, dust and vibration.
- (d) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring properties to a minimum.
- (e) What plant and equipment is to be used on the site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring properties and other less intrusive technologies available.

Reason: To maintain appropriate amenity to nearby occupants.

55. A Construction Environmental Management Plan (CEMP) must be prepared in accordance with the Department of Infrastructure, Planning and Natural Resources (2004) Guidelines for the Preparation of Environmental Management Plans and submitted to the relevant authorities at least 4 weeks prior to the commencement of construction.

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

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

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

The approved CEMP must be made publicly available.

Reason: To minimise environmental impacts during construction works.

56. An Operation Environmental Management Plan (OEMP) must be prepared in accordance with the Department of Infrastructure, Planning and Natural Resources (2004) Guidelines for the Preparation of Environmental Management Plans and submitted to the relevant authority at least 4 weeks prior to the commencement of operation. The OEMP must be prepared and implemented in accordance with the procedures, safeguards and mitigation

measures identified in the EA and in consultation with relevant stakeholders. The OEMP must incorporate a monitoring and review program which contains (but is not limited to):

- a) an Operation Noise Management Sub Plan,
- b) an Operation Air Quality/Odour Management Sub Plan,
- c) a Quantitative Final Hazard Analysis,

The approved OEMP must be made publicly available.

Reason: To minimise environmental impacts during operation.

57. Prior to the commencement of work, the a registered surveyor is to undertake a set out survey to identify the location of all footings, slabs, posts and walls adjacent to a boundary. This is to ensure the development when complete, will be constructed wholly within the confines of the subject allotment. This set out survey showing the location of the development relative to the boundaries of the site, is to be forwarded to the Principal Certifying Authority prior to pouring of any footings or slabs and/or the construction of any walls/posts.

Reason: To ensure that the building is erected in accordance with the approval granted and within the boundaries of the site.

58. Prior to work commencing, adequate toilet facilities are to be provided on the work site prior to any works being carried out.

Reason: To ensure adequate toilet facilities are provided.

59. The site must be enclosed with a minimum 1.8 m high security fence to prohibit unauthorised access. The fence must be approved by the Principal Certifying Authority and be located wholly within the development site prior to commencement of any works on site.

Reason: To ensure public safety.

60. A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) Stating that unauthorised entry to the work site is prohibited;
- (b) Showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (d) Showing the approved construction hours in accordance with this development consent.
- (e) Any such sign must be maintained while the excavation building work or demolition work is being carried out, but must be removed when the work has been completed.
- (f) This condition does not apply to building works being carried out inside an existing building.

Reason: Statutory requirement.

61. If an excavation associated with the erection or demolition of a building extend below the level of the base of the footings of a building on an adjoining allotment of land; the person

causing the excavation to be made; must preserve and protect the building from damage; and if necessary, must underpin and support the building in an approved manner. At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished and submit to the Principal Certifying Authority details of the date and manner by which the adjoining owner(s) were advised.

Reason: To control excavation procedures.

62. Any soils requiring removal from the site must initially be classified in accordance with the NSW EPA Waste Classification Guidelines.

Following the removal of the concrete slabs beneath the building at 333 Church Street, further borehole and monitoring well sampling is to be conducted in this location to ensure that the sampling density regime is in accordance with the OEH NSW requirements and a thorough analysis of potential contamination of the entire site is completed.

Reason: To ensure the entire site area is tested for potential land contamination.

63. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note and provide protection for Council as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

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

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

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

The report must include a photographic survey of adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer in accordance with the recommendation of the geotechnical report. A copy of the dilapidation report must be submitted to Council.

In the event access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principle Certifying Authority.

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

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required to

resolve any dispute over damage to adjoining properties arising from works. It is in the applicant's and adjoining owner's interest for it to be as detailed as possible.

Reason: Management of records.

65. Prior to the commencement of any excavation works on site the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:

- i. The type and extent of substrata formations by the provision of a minimum of 4 representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs shall be related to Australian Height Datum.
- ii. The appropriate means of excavation/shoring in light of point (a) above and proximity to adjacent property and structures. Potential vibration caused by the method of excavation and potential settlements affecting nearby footings/foundations shall be discussed and ameliorated.
- iii. The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property structures and road reserve if nearby (full support to be provided within the subject site).
- iv. The existing groundwater levels in relation to the basement structure, where influenced.
- v. The drawdown effects on adjacent properties (including road reserve), if any, the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater. Where it is considered there is the potential for the development to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path is constructed, artificial drains such as perimeter drains and through drainage may be utilised.
- vi. Recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program (as required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.

The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydrogeological engineer with previous experience in such investigations and reporting. It is the responsibility of the engaged geotechnical specialist to undertake the appropriate investigations, reporting and specialist recommendations to ensure a reasonable level of protection to adjacent property and structures both during and after construction. The report shall contain site specific geotechnical recommendations and shall specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:

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

- ii. No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- iii. No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- iv. Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
- v. Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
- vi. An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table CI of AS 2870 - 1996.

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

66. 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; and
- 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.

67. 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.

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

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

69. 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 before site works commence.

70. 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.

71. 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.

72. 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 Council. 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.

73. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access during excavation works.

Reason: To ensure public safety.

74. A sign must be erected in a prominent position on any work site on which work is being carried out:

- (a) Stating that unauthorised entry to the work site is prohibited.
- (b) Showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours.
- (c) Showing the approved construction hours in accordance with this development consent.
- (d) Any such sign must be maintained while the excavation building work or demolition work is being carried out, but must be removed when the work has been completed.
- (e) This condition does not apply to building works being carried out inside an existing building.

Reason: Statutory requirement.

75. 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.

76. The preparation of an appropriate hazard management strategy by an appropriately licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure that any such proposed demolition works involving asbestos are carried out in accordance with the requirements of the 'Code of Practice: How to Safely Remove Asbestos' published by WorkCover NSW. The strategy shall be submitted to the Council, prior to the commencement of any works. The further report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.

Reason: To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

77. On demolition sites where buildings are known to contain friable or non-friable asbestos material, standard warning signs containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm are to be erected in a prominent position on site visible from the street kerb. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site. Advice on the availability of these signs can be obtained by contacting the NSW WorkCover Authority hotline or their website www.workcover.nsw.gov.au.

Reason: To comply with the requirements of the NSW WorkCover Authority.

78. A Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:

- (a) expected volumes and types of waste to be generated during the 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 the Council prior to the commencement of any works on site.

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

79. Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note and provide protection for Council as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

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

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

80. Prior to commencement of 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) are 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.

81. Erosion and sediment control devices are to be installed prior to the commencement of any demolition works upon the site. These devices are to be maintained throughout the entire development and for a minimum three (3) month period after the completion of the project, where necessary.

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

During Excavation and Construction

82. 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.

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

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

- Imported fill/Exported fill is to 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.

84. 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.

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

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

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

86. Noise emissions and vibration must be minimised and 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 activities shall 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.

87. Dust control measures shall 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.

88. Stormwater from all new impervious areas, and subsoil drainage systems, must be piped to the existing site drainage system. The installation of new drainage components must be completed by a licensed contractor in Accordance with AS3500.3 (2003) - Stormwater Drainage and the Building Code of Australia (National Construction Code).

Reason: To ensure satisfactory stormwater disposal.

89. An appropriately dimensioned grated drain, incorporating a heavy duty removable galvanised grate is to be located within the site at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.

Reason: Stormwater control.

90. 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.

91. 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.

92. All work including 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 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:

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

Reason: To protect the amenity of the area.

93. A number of significant electrical assets are located on and adjacent to the site. The Contractor is to be aware of the potential risks of working adjacent to these assets such as receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy has available public safety training resources that are reviewed by the Contractor to ensure that works are carried out safely at the site. These resources can be downloaded from the website link below:
<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/community/safety/safety+brochures>

Reason: To ensure that works are carried out in a safe manner.

94. No trees on public property (footpaths, roads, reserves, etc.) are permitted to be removed, pruned or damaged during construction including the installation of fences, hoardings or other temporary works, unless approved in this consent.

Reason: Protection of existing environmental infrastructure and community assets.

95. The applicant shall record details of all complaints received during the demolition period in an up to date complaints register. The register shall record, but not necessarily be limited to:
- (a) The date and time of the complaint;
 - (b) The means by which the complaint was made;
 - (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that effect;
 - (d) Nature of the complaints;

- (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
- (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

The complaints register shall be made available to Council upon request.

Reason: To ensure any complaints are appropriately recorded and handled.

96. A survey certificate is to be submitted to the Principal certifying Authority at footing and/or formwork stage. The certificate must indicate the location of the building in relation to all boundaries, and must confirm the floor level is consistent with that approved under this consent prior to any further work proceeding on the building.

Reason: To ensure the development is being built as per the approved plans.

97. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

Reason: To protect public safety.

98. The site shall be surrounded with a continuous bund not less than 300mm high so as to minimise the ingress of stormwater from adjacent streets and paved areas. Any rain water and seepage water collected within the site shall be held in containment ponds, treated and disposed of to Council and EPA requirements and satisfaction.

Reason: To ensure soil and water management controls are in place.

99. A footpath is to be constructed in accordance with Council Standard Drawing DS3 in front of the site within the road reserve. Details of the proposed footpath works shall be submitted to and approved by Council's Civil Asset Team prior to commencement of footpath works. All costs are to be borne by the applicant.

Reason: To provide pedestrian passage.

100. A Standard Kerb Ramp is to be constructed at the intersection of Macquarie Street and Leigh Place in accordance with Council Plan No. DS4. Details must be submitted to and be approved by Council prior to construction. All costs must be borne by the applicant.

Reason: To provide adequate access.

101. Car parking area and internal accessways must be constructed, marked and signposted in accordance with AS2890.1 –2004 'Off Street Car Parking Facilities' prior to an Occupation Certificate being issued.

Reason: To ensure appropriate car parking.

102. Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way.

Reason: To ensure pedestrian safety.

103. 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.

104. 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". Certification is required to be provided with the Occupation Certificate.

Reason: To ensure Council's assets are appropriately constructed.

105. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:

Eg. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.

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

- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.

- (d) Kerbside restrictions, construction zones:

The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a construction zone, the appropriate application must be made to Council and the fee paid. Applicants are to 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.

The application is to be lodged with Council's Customer Service Centre.

Reason: Proper management of public land.

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

Reason: To provide satisfactory drainage.

107. Occupation of any part of 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.

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

Reason: To ensure maintenance of Council's assets.

109. 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 immediately.

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

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

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

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

111. 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. 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.

112. 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.

113. Works are not to result in sedimentation and or run-off from the approved works onto the adjoining properties and or public lands. The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

Reason: To ensure no adverse impacts on neighbouring properties.

114. 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.

115. All remediation works shall be carried out in accordance with clauses 17 and 18 of State Environmental Planning Policy 55 - Remediation of Land. The notice of remediation shall be provided to the Council in accordance with the timeframe set out in State Environmental Planning Policy 55.

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

116. 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.

117. Where the remedial action has been carried out, a validation report must be submitted to Council stating that the objectives in the Overarching Remedial Action Plan have been achieved and the land is remediated to a standard suitable for the proposed land use.

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

Prior to release of Occupation Certificate

118. Prior to the issue of an occupation certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Parramatta City Council, stating that all relevant works/methods/procedures/control measures approved by Council in the reports referred to in Condition 1 have been completed.

Reason: To demonstrate compliance with submitted reports.

119. All individual parcels of land holding a separate title within the development site must be consolidated into one lot. A plan of consolidation must be registered with the Land and Property Information Division of the Department of Lands, prior to an Occupation Certificate being issued.

Reason: To comply with the Conveyancing Act 1919.

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

- (i) aims and objectives (including water quality and filter media parameters);
- (ii) a plan showing the location of the individual components of the system
- (iii) manufacturer's data and product information sheets for any proprietary products
- (iv) location of inspection and monitoring points shown clearly on the plan
- (v) describe inspection/maintenance techniques and the associated rectification procedures

- (vi) A schedule or timetable for the proposed regular inspection and monitoring of the devices, (Council recommends a visual inspection at least 3 times per year between October and May the following year, with a maximum of 3 months between successive inspections). Inspection is to be made not less than 24 hours and not more than 72 hours after the cessation of rainfall if the total rainfall on any day exceeds 30mm
- (vii) record keeping and reporting requirements
- (viii) review and update requirements

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

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

Reason: To ensure appropriate management and maintenance requirements are established.

121. Proof of completion of footpath construction work shall be submitted to the satisfaction of Council prior to release of the Occupation Certificate.

Reason: To provide pedestrian passage.

122. A Car Parking Management Plan is to be prepared prior to the occupation of the basement and submitted to the written satisfaction of the Council's Traffic Engineer prior to the issue of the Occupation Certificate.

Reason: To ensure that public access is managed for the basement car parking facility on the site.

123. A Loading Dock Management Plan is to be prepared prior to occupation of the basement generally in accordance with the GTA Transport Impact Assessment of 15 September 2015 and submitted to the written satisfaction of the Council prior to the issue of the Occupation Certificate.

Reason: To provide an appropriate management regime for the operation of the loading dock.

124. Occupation or use, either in part or full, is not permitted until an Occupation Certificate has been issued. The Occupation Certificate must not be issued unless the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia and until all preceding conditions of this consent have been complied with. Where Council is not the Principal Certifying Authority, a copy of the Occupation Certificate together with registration fee must be provided to Council.

Reason: To comply with BCA requirements.

125. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority that is responsible for critical stage inspections must make a record of each inspection as soon as practicable after it has

been carried out. Where Council is not the PCA, the PCA is to forward a copy of all records to Council.

The record must include details of:

- (a) the development application and Construction Certificate numbers;
- (b) the address of the property at which the inspection was carried out;
- (c) the type of inspection;
- (d) the date on which it was carried out;
- (e) the name and accreditation number of the certifying authority by whom the inspection was carried out; and
- (f) whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

Reason: To comply with legislative requirements of Clause 162B of the Environmental Planning & Assessment Regulation 2000.

126. Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The person issuing the Occupation Certificate shall ensure that the following documentation is completed and submitted:

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

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

127. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

- compare the post-construction dilapidation report with the pre-construction dilapidation report, and
- have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

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

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

128. Prior to the issue of an Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot.

The terms of the instruments are to be generally in accordance with Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" to Council's satisfaction.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through via an application to the Land Titles Office using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the On-Site Detention facility, including its relationship to the building footprint.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

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

129. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Occupation 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.

130. Proof of completion of the Kerb Ramp must be submitted to the satisfaction of the Council prior to the issue of an Occupation Certificate.

Reason: To provide adequate access.

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

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

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

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

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

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

133. The developer shall submit to the Principal Certifying Authority a letter from the telecommunications company confirming that satisfactory arrangements have been made for the provision of telephone and cable television services, prior to the release of the Subdivision Certificate or issuing of any Occupation Certificate.

Reason: To ensure provision of appropriately located telecommunication facilities.

134. Submission of a letter confirming satisfactory arrangements have been made for the provision of electricity services from Endeavour Energy or an approved electricity provider.

Reason: To ensure appropriate electricity services are provided.

135. On completion of the basement and prior to occupation or use of the basement or driveway/accessway, the driveway/accessway and any openings to the basement must be flood-proofed to prevent ingress of flood waters up to the Probable Maximum Flood (PMF) event by provision of continuous bunding to RL.11.8m AHD minimum, including crests on permanent accessways and stormwater lines. Details are to be submitted for the approval of Council's Team Leader Technical Services prior to release of the Construction Certificate. A Work as Executed drawing showing compliance with these provisions, signed by a Registered Surveyor, shall be submitted for the approval of Council's Team Leader Technical Services prior to issue of an Occupation Certificate for the whole development.

Reason: To comply with Council's requirements.

136. On completion of the basement and prior to occupation or use of the basement or substation, the substation and all associated power lines must be flood-proofed to prevent damage and hazards when they are fully immersed in flood waters.

Reason: To comply with Council's requirements.

137. An evacuation report and procedure shall be prepared by an appropriate consulting engineer. This report is to demonstrate how the occupants of the development will egress the site in the early stages of a storm event, together with how they will seek refuge in a peak stormwater event (i.e. first floor of the building etc.). The report shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. A copy of the report shall be attached to the Occupation Certificate when forwarded to Council.

Reason: To make property owners/residents aware of the procedure in the case of flood.

138. The applicant is to engage an NSW EPA accredited site auditor to undertake an independent assessment of the site investigation (remediation) or (validation) report to address the requirements of section 47(1) (b) of the Contaminated Land Management Act 1997. A site audit statement is to be submitted to the satisfaction of Council and the principal certifying authority on the completion of remediation works and prior to the issue of any Occupation certificate.

Reason: To ensure the contamination assessment report has adhered to appropriate standards, procedures and guidelines

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

Reason: To ensure provision of adequate waste storage arrangements

140. Prior to the issue of the occupation certificate, convex mirrors are to be installed within the ramp access (one near the entry driveway and one at the bottom of the ramp access for each basement level car park) with its height and location adjusted to allow an exiting driver a full view of the driveway in order to see if another vehicle is coming through.

Reason: To ensure safety of drivers.

141. Adequate ventilation to work areas and other occupied enclosures shall be provided in accordance with the requirements of the Building Code of Australia. Where any system of mechanical ventilation is installed, certification that the system functions in accordance with Australian Standard AS 1668 (Parts 1 & 2) is to be provided to the certifying authority prior to occupation of the premises.

Reason: To comply with the Building Code of Australia and the relevant Australian Standard.

142. An application for street numbering must be lodged with Council for approval, prior to the issue of an Occupation Certificate or Subdivision Certificate whichever occurs first.

Note: Notification of all relevant authorities of the approved street numbers must be carried out by Council.

Reason: To ensure all properties have clearly identified street numbering, particularly for safety and emergency situations.

The Use of the site

143. No through site link will be allowed from the 'super basement' (PS2, PS4, PS 5+6, Sydney Water) into the PS3 basement until a full traffic study has been completed and submitted to Council's Traffic Engineer for approval.

144. The use of the premises not giving rise to:

- (a) transmission of unacceptable vibration to any place of different occupancy,
- (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

145. The air conditioner/s must not:

(a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):

(i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or

(ii) before 7.00am and after 10.00pm on any other day.

(b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background (LA90, 15 minute) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

Reason: To prevent loss of amenity to the area.

146. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to "offensive noise" as defined by the Protection of the Environment Operations Act 1997.

Reason: To reduce noise levels.

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

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

148. The property owner/body corporate is to ensure the warning system is in good working order, through regular testing and maintenance.

Reason: To ensure the integrity of the flood warning system.

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

Reason: To ensure waste is adequately stored within the premises

150. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

Reason: To ensure provision of adequate waste disposal arrangements.

151. The operation of the premises is not to give rise to emissions of air impurities in contravention of the Protection of the Environment Operations Act 1997. Air emissions from the premises must not cause a nuisance from odours, nor be hazardous to human health or the environment.

Reason: To prevent loss of amenity to the area.

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

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

153. The owner/manager of the site is responsible for the removal of all graffiti from site structures and fencing within 48 hours of its application.

Reason: To ensure the removal of graffiti.