

DATE OF DETERMINATION	1 May 2017
PANEL MEMBERS	Paul Mitchell (Chair), Louise Camenzuli, Clare Brown, David Ryan and Richard Thorp
APOLOGIES	Edward Blakely and Mary-Lynne Taylor
DECLARATIONS OF INTEREST	None

Electronic meeting held between 13 April 2017 and 1 May 2017.

MATTER DETERMINED

2016SYW004 – Parramatta – DA/961/2015 AT 14-38 Cowper Street, 21-41 East Street and 5-5A Rowell Street, GRANVILLE (AS DESCRIBED IN SCHEDULE 1)

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*. The decision was unanimous.

REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

1. The proposed development will add to the supply and choice of housing and commercial space within the West Central Metropolitan Subregion and the Parramatta local government area in a location with ready access to the services and amenities in the neighbourhood centre and the general locality.
2. The Panel is satisfied that the clause 4.6 variation is justified and that the development should be approved.

In particular, the Panel is satisfied that the Applicant has justified that compliance with the development standard in relation to height is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard, namely:

- a) A superior urban design outcome;
- b) The delivery of the pocket park and through site links;
- c) No exceedance in the permitted GFA;
- d) The retention of the heritage item.

The proponent also notes in its Clause 4.6 Variation Report that the DCP affords a FSR bonus where 50% of the site is used for through site links and that the proposal does not seek any additional FSR.

For the above reasons, the Panel is also satisfied that the Applicant's clause 4.6 variation report has adequately addressed the matters required to be demonstrated in clause 4.6(3) of the Parramatta LEP and that the proposed development will be in the public interest because it is consistent with the objectives of the building height control and the objectives for development within the B4 zone in which the development is proposed to be carried out. The Panel considers that the development is consistent with these objectives for the reasons set out in the Applicant's Clause 4.6 Variation Report.

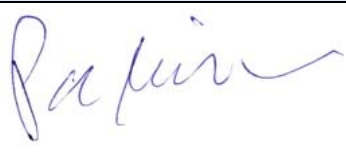


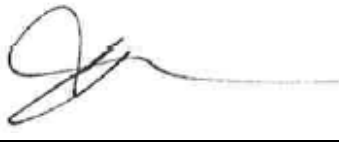

3. With the exception of the exceedances addressed in point 2, the proposed development adequately satisfies the relevant planning instruments, as listed at item 6 in Schedule 2. The Panel

notes that there are some non-compliances, but considers that they are acceptable in the context of this site.

4. The Panel considered the *Development Near Rail Corridors and Busy Roads – Interim Guidelines* as required by Clause 87(2) of State Environmental Planning Policy (Infrastructure) 2004 and is satisfied that the conditions of consent attached at Schedule 2 will ensure that appropriate measures are taken to prevent the relevant LAeq levels being exceeded.
5. The proposed development, subject to the conditions imposed, will have no unacceptable adverse impacts on the natural or built environments, including amenity of adjacent and nearby residential premises or the operation of the local road system.
6. In consideration of conclusions [1-5] above the Panel considers the proposed development is a suitable use of the site and approval of the proposal is in the public interest.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report as amended by the Panel. The amended conditions are attached at Schedule 2.

PANEL MEMBERS	
 Paul Mitchell (Chair)	 Louise Camenzuli
 Clare Brown	 David Ryan
 Richard Thorp	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2016SYW004 – Parramatta – DA/961/2015
2	PROPOSED DEVELOPMENT	Consolidation of lots, demolition of all structures except heritage item, tree removal and construction of mixed use development comprising 618 residential apartments and 12 commercial tenancies within a building with a 4 storey podium and 3 tower forms (Tower A 21 storeys, Tower B 14 storeys and Tower C 21 storeys), two level basement with capacity for 633 car parking spaces, new public park to be dedicated to Council, new public through site link to be an easement for public access, refurbishment and adaptive reuse of heritage item for use as a community facility, public domain works and landscaping.
3	STREET ADDRESS	14-38 Cowper Street, 21-41 East Street and 5-5A Rowell Street, GRANVILLE
4	APPLICANT OWNER	DPG Project No. 7 Pty Ltd Various – listed in Attachment 2 to Council Assessment Report
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • Environmental Planning and Assessment Regulations 2000 • Water Management Act 2000

		<ul style="list-style-type: none"> State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Infrastructure) 2004 State Environmental Planning Policy (State and Regional Development) 2011 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 State Environmental Planning Policy (Urban Renewal) 2010 State Environmental Planning Policy No 55 – Remediation State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development & Apartment Design Guide Parramatta Local Environment Plan 2011 Parramatta Development Control Plan 2011 The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 13 April 2017 Written submissions during public exhibition: none (0) Acoustic Planning Report prepared by Resonate Acoustics Reference S1523SRPI Revision 1 dated 28 July 2016 and addendum dated 9 November 2016
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site visit and briefing meeting on 18 November 2017 (Mary-Lynne Taylor, Paul Mitchell, Bruce McDonald, David Ryan and Richard Thorp)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report

SCHEDULE 2	
<p>The application be determined by the granting of a “deferred commencement” consent under Section 80(3) of the Environmental Planning and Assessment Act, 1979. Upon strict compliance with all conditions appearing in Schedule 1 and with the issue of confirmation to that effect in writing from Council, the “deferred commencement” consent shall revert to development consent, inclusive of all conditions appearing in Schedule 2, pursuant to Section 80(1) of the Act:</p>	
SCHEDULE 1	
<ol style="list-style-type: none"> The finalised Flood Study by SGC and Engineer’s Certification that all finished floor levels and driveway crest levels are 500mm above the predicted 1% AEP flood levels from adjacent overland flow are to be submitted to Council and approved by Council’s Manager DTSU prior to release of the operational Consent. 	
Reason: Protection of the environment and public health.	

2. The applicant is to provide written verification that it has:

(i) Sydney Trains agreement to either:

- a. the undergrounding of the Sydney Trains high voltage power lines (preferred), or
- b. the relocation of the Sydney Trains high voltage power lines.

The design and construction of either option above, if directed by Sydney Trains, are to be designed and constructed by an Asset Standards Authority (ASA) Authorised Engineering Organisation (AEO), and must comply with all applicable ASA and Sydney Trains requirements.

The timing of the undergrounding or relocation of the power line will be as nominated by Sydney Trains.

The Applicant shall also provide details as to how the undergrounded or relocated power lines will be protected during excavation/construction works and during the maintenance of the building.

In the event the power lines will be relocated the following documentation is to be provided to Sydney Trains:

- a. blow-out design and calculations
- b. compliance with AS 7000
- c. compliance with ISSC 20, Guideline for the management of activities within Electrical Easements and Close to electrical Infrastructure.
- d. compliance with SMS-06-GD-0268 – Working around electrical equipment.
- e. construction management plan detailing as to the unloading of building material and equipment and method of construction in close proximity to power lines
- (ii) Certification from the Geotechnical and Structural engineer that the proposed excavation and construction works will not have a detrimental impact on the rail corridor or rail infrastructure.
- (iii) If required by Sydney Trains, the entering into an Agreement(s) with respect to the undergrounding or relocation of the power lines.

Any conditions issued as part of Sydney Trains approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

The applicant must provide to the Council appropriate documentary evidence sufficient to enable it to be satisfied of the matters in the above conditions within 24 months.

Upon compliance with the above requirement, a full Consent will be issued subject to the following conditions:

SCHEDULE 2

General Matters

Standard Conditions

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 and/or any plan annotations:

Drawing No.	Prepared By	Dated
<i>Architectural Drawings</i>		
Plan Cover Page	Marchese Partners	20/11/2016
Aerial Photo Job 16007, Drawing DA0.01 Rev.A	Marchese Partners	17/06/2016
Context Plan Job 16007, Drawing DA0.01B Rev.B	Marchese Partners	20/11/2016
Survey Plan Sheets 1 and 2 Job 16007, Drawing DA0.02 Rev.B	Marchese Partners	10/11/2016
Site Analysis Job 16007, Drawing DA0.03 Rev.C	Marchese Partners	20/11/2016
Site Plan Job 16007, Drawing DA0.04 Rev.C	Marchese Partners	20/11/2016
BASIX Summary	March	2

Job 16007, Drawing DA0.05 Rev.A	ese Partne rs	9/ 0 8/ 1 6
Basement 2 Floor Plan Job 16007, Drawing DA1.03 Rev.C	March ese Partne rs	2 0/ 1 2/ 1 6
Basement 1 Floor Plan Job 16007, Drawing DA1.04 Rev.C	March ese Partne rs	2 0/ 1 2/ 1 6
Ground Floor Plan Job 16007, Drawing DA1.05 Rev.D	March ese Partne rs	2 0/ 1 2/ 1 6
Level 1 Floor Plan Job 16007, Drawing DA1.06 Rev.D	March ese Partne rs	2 0/ 1 2/ 1 6
Level 2 Floor Plan Job 16007, Drawing DA1.07 Rev.D	March ese Partne rs	2 0/ 1 2/ 1 6
Level 3 Floor Plan Job 16007, Drawing DA1.08 Rev.D	March ese Partne rs	2 0/ 1 2/ 1 6
Level 4 Floor Plan Job 16007, Drawing DA1.09 Rev.E	March ese Partne rs	2 0/ 1 2/ 1 6
Level 5-13 Floor Plans Job 16007, Drawing DA1.10 Rev.D	March ese Partne rs	2 0/ 1 2/ 1 6
Level 14 Floor Plan Job 16007, Drawing DA1.11 Rev.D	March ese Partne	2 0/ 1

		rs	2/ 1 6	
	Level 15-20 Floor Plans Job 16007, Drawing DA1.12 Rev.D	March ese Partne rs	2 0/ 1 2/ 1 6	
	Roof Plan Job 16007, Drawing DA1.13 Rev.B	March ese Partne rs	2 0/ 1 2/ 1 6	
	Public Domain Civil Works Job 16007, Sheets 1 to 29 Revision D	March ese Partne rs Engine ering	5/ 0 2/ 1 7	
	North – Cowper Street Elevation Job 16007, Drawing DA2.01 Rev.C	March ese Partne rs	2 0/ 1 2/ 1 6	
	South – East Street Elevation Job 16007, Drawing DA2.02 Rev.D	March ese Partne rs	2 0/ 1 2/ 1 6	
	East – Public Park Elevation Job 16007, Drawing DA2.03 Rev.D	March ese Partne rs	2 0/ 1 2/ 1 6	
	West – Rowell Street Elevation Job 16007, Drawing DA2.04 Rev.C	March ese Partne rs	2 0/ 1 2/ 1 6	
	Section AA Job 16007, Drawing DA3.01 Rev.D	March ese Partne rs	2 0/ 1 2/ 1 6	
	Section BB Job 16007, Drawing DA3.02 Rev.D	March ese Partne rs	2 0/ 1 2/ 1	

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Section CC Job 16007, Drawing DA3.03 Rev.C	March ese Partne rs	2 0/ 1 2/ 1 6		
Section DD Job 16007, Drawing DA3.04 Rev.B	March ese Partne rs	2 0/ 1 2/ 1 6		
Section EE Job 16007, Drawing DA3.05 Rev.B	March ese Partne rs	2 0/ 1 2/ 1 6		
Section FF Job 16007, Drawing DA3.06 Rev.B	March ese Partne rs	2 0/ 1 2/ 1 6		
Section GG Job 16007, Drawing DA3.07 Rev.C	March ese Partne rs	2 0/ 1 2/ 1 6		
Detail Section HH and II Job 16007, Drawing DA3.08 Rev.C	March ese Partne rs	2 0/ 1 2/ 1 6		
Detail Section JJ and KK Job 16007, Drawing DA3.09 Rev.C	March ese Partne rs	2 0/ 1 2/ 1 6		
Detail Section LL and MM Job 16007, Drawing DA3.10 Rev.C	March ese Partne rs	2 0/ 1 2/ 1 6		
Detail Section NN Job 16007, Drawing DA3.20 Rev.A	March ese Partne rs	1 0/ 1 1/ 1 6		
Detail Section PP	March	2		

Job 16007, Drawing DA3.21 Rev.B	ese Partne rs	0/ 1 2/ 1 6
Detail Section QQ Job 16007, Drawing DA3.22 Rev.B	March ese Partne rs	2 0/ 1 2/ 1 6
Detail Section RR Job 16007, Drawing DA3.23 Rev.B	March ese Partne rs	2 0/ 1 2/ 1 6
Adaptable Unit Plans Job 16007, Drawing DA5.01 Rev.B	March ese Partne rs	2 4/ 0 8/ 1 6
Stage A.1 Basement 1 Floor Plan Job 16007, Drawing SK100 Rev.C	March ese Partne rs	1 8/ 0 1/ 1 7
Stage A.1 Ground Floor Plan Job 16007, Drawing SK101 Rev.B	March ese Partne rs	1 7/ 0 1/ 1 7
Stage A.1 Level 1 Floor Plan Job 16007, Drawing SK102 Rev.D	March ese Partne rs	1 8/ 0 1/ 1 7
Stage A.1 Site Plan Job 16007, Drawing SK103 Rev.B	March ese Partne rs	1 5/ 1 1/ 1 6
Stage A.2 Basement 1 Floor Plan Job 16007, Drawing SK110 Rev.C	March ese Partne rs	1 8/ 0 1/ 1 7
Stage A.2 Ground Floor Plan Job 16007, Drawing SK111 Rev.B	March ese Partne	1 5/ 1

		rs	1/ 1 6	
	Stage A.2 Level 1 Floor Plan Job 16007, Drawing SK112 Rev.D	March ese Partne rs	1 8/ 0 1/ 1 6	
	Stage A.2 Site Plan Job 16007, Drawing SK113 Rev.B	March ese Partne rs	1 5/ 1 1/ 1 6	
	Stage B Basement Floor Plan Job 16007, Drawing SK120 Rev.B	March ese Partne rs	1 5/ 1 1/ 1 6	
	Stage B Ground Floor Plan Job 16007, Drawing SK121 Rev.B	March ese Partne rs	1 5/ 1 1/ 1 6	
	Stage B Level 1 Floor Plan Job 16007, Drawing SK122 Rev.C	March ese Partne rs	1 1/ 0 1/ 1 7	
	Stage B Site Plan Job 16007, Drawing SK123 Rev.C	March ese Partne rs	1 1/ 0 1/ 1 6	
	Stage A.1, A.2 and B Section Job 16007, Drawing SK130 Rev.B	March ese Partne rs	1 5/ 1 1/ 1 6	
	Stage A.1 and A.2 West Elevation Job 16007, Drawing SK131 Rev.A	March ese Partne rs	1 7/ 0 1/ 1 7	
	Plan of Dedication Job 16007, Drawing SK200 Rev.A	March ese Partne rs	1 4/ 1 1/ 1	

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<i>Public Domain, Landscaping & Civil Works Drawings</i>		
Title Sheet & Locality Plan Drawing No. DA-C-001 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Legend, Abbreviations & Drawing List Drawing No.DA_C_002 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
General Notes Drawing No.DA_C_003 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Erosion and Sediment Control Plan Sheets 1 and 2 Drawing No.DA_C_006 and 007 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Erosion and Sediment Control Details Drawing No.DA_C_008 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Public Domain Civil Works Levels Plan – Sheet 1, Drawing No. DA_C_101 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Public Domain Civil Works Levels Plan – Sheet 2, Drawing No. DA_C_102 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Public Domain Civil Works Site Frontage Cross Sections – Sheets 1 and 2, Drawings No. DA_C_103 and 104	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Public Domain Civil Works Driveway No.1 Plan and Longitudinal Section A, Drawings No.DA_C_111 and 112 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7

Public Domain Civil Works Driveway No.2 Plan and Longitudinal Section B, Drawings No.DA_C_113 and 114 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Public Domain Civil Works Driveway No.3 Plan and Longitudinal Section C, Drawings No. DA_C_115 and 116 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Public Domain Civil Works Driveway No.4 Plan and Longitudinal Section D, Drawings No.DA_C_117 and 118 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Public Domain Civil Works Drainage Plan – Sheets 1 and 2, Drawings No.DA_C_301 and 302 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Public Domain Civil Works Stormwater Long Sections – Sheets 1, 2, 3 and 4, Drawings No.DA_C_321, 322, 323 and 324 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Public Domain Civil Works Pavement Plan – Sheets 1 and 2, Drawings No.DA_C_601 and 602 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Public Domain Civil Works Detail Sheet 1, Drawing No.DA_C_603 Rev.D	March ese Partne rs Engine ering	0 2/ 0 3/ 1 7
Landscape Concept Plan Drawing No. 101 to 116, Drawing No.200 to 206, Drawing No.501 to 505, Issue D	Arcadi a	D ec e m b er 2 0 1 6
<i>Stormwater Drawings</i>		
Title Sheet and Locality Plan Drawing No. STW-001 Rev.A	March ese Partne	0 3/ 0

		rs Engine ering	2/ 1 7	
	Stormwater Drainage Legend, Abbreviations & Drawing List Drawing No. STW-002 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7	
	Stormwater Drainage General Notes Drawing No. STW-003 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7	
	Stormwater Drainage Basement 2 Plan Drawing No. DA-STW-101 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7	
	Stormwater Drainage Basement 1 Plan Drawing No. DA-STW-102 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7	
	Stormwater Drainage Ground Floor Plan Drawing No. DA-STW-103 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7	
	Stormwater Drainage Level 1 Floor Plan Drawing No. DA-STW-104 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7	
	Stormwater Drainage Level 2 Floor Plan Drawing No. DA-STW-105 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7	
	Stormwater Drainage Level 3 Floor Plan Drawing No. DA-STW-106 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7	
	Stormwater Drainage Level 4 Floor Plan Drawing No. DA-STW-107 Rev.A	March ese Partne rs Engine	0 3/ 0 2/ 1	

	ering	7
Stormwater Drainage Level 5-13 Floor Plan Drawing No. DA-STW-108 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7
Stormwater Drainage Level 14 Floor Plan Drawing No. DA-STW-109 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7
Stormwater Drainage Level 15-20 Floor Plan Drawing No. DA-STW-110 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7
Stormwater Drainage Roof Plan Drawing No. DA-STW-111 Rev.A	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7
Stormwater Drainage Detail Sheets 1, 2 and 3, Drawing No. DA-STW-201, 202 and 203	March ese Partne rs Engine ering	0 3/ 0 2/ 1 7

Document(s)	Prepar ed By	D at e d
Statement of Environmental Effects	THINK Planne rs	V ar io us
SEPP 65 Design Verification Statement	March ese Partne rs	0 6/ 0 7/ 1 6
Design Statement	March ese Partne rs	A u g us t 2 0 1 6

	Urban Design Issues and Response Report	Architectus	15/07/2016	
	Comparison Tower Massing Analysis and Addendum	Architectus	16/11/2016	
	Construction and Demolition Waste Management Plan and Operational Waste Management Plan	Foresight Environmental Pty Limited	July 2016	
	Exterior Finishes Schedule Job 16007 Drawing DA6.03 Rev.B	Marchese Partners	20/11/2016	
	BASIX Certificate No. 693093M_02	Victor Lin & Associates Pty Ltd	01/09/2016	
	Geotechnical Investigation Project No.84892.03	Douglas Partners	June 2016	
	Report on Preliminary Site Investigation with Limited Sampling and Addendum Project No.84892.03	Douglas Partners	Original Report June 2016 A	

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	Flood Risk Management Report Issue 2 Final	SG Consul ting	2 5/ 1 1/ 1 6	
	Flood Impact Assessment Report	SG Consul ting	6/ 0 7/ 1 6 a n d 2 9/ 0 9/ 1 5	
	Water Sensitive Urban Design Plan Project No.25833 Drawing No.SW-02 Revision P3	Water man Austra lia	1 0/ 1 1/ 1 6	
	Site Stormwater Management, Public Domain Civil Works and Flood Analysis Design Report for Development Application	March ese Partne rs Engine ering	0 6/ 0 2/ 1 7	
	Ventilation Assessment Project 9390	CPP Consul ting	A pr il 2 0 1	

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	Acoustic Planning Report Ref.SI1523SRPI Revision 1 and Addendum	Resonate Acoustics	Original Report dated 28/07/16 and addendum 9/11/16	
	CPTED Report	THINK Planners	26/07/16	
	Statement of Heritage Impact and Conservation Management Plan and Revised Conservation Management Plan	NBRS Partners	Original Reports dated Janu	

			ar y 2 0 1 6 a n d R e v i s e d J u n e 2 0 1 6	
	Preliminary Public Art Plan	Guppy Associ ates Art Manag ement	2 5/ 0 7/ 1 6	
	Access Report Reference No.216176	Access ible Buildin g Solutio ns	6/ 0 7/ 1 6	
	Economic Impact Assessment	Macro Plan Demas i	A u g us t 2 0 1 6	
	Traffic and Parking Assessment Report Ref.16435	Varga Traffic Planni ng	7/ 0 7/ 1 6	
	Arboricultural Impact Assessment	Footpr int Green P/L	2 1/ 1 1 1 6	
	Tree Protection Plan	Footpr int Green	2 1/ 1	

		P/L	1/ 1 6
Note:	In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.		
Reason:	To ensure the work is carried out in accordance with the approved plans.		
2.	The development may be carried out in up to 3 stages as indicated on the approved staging plans (i.e. Stages A.1, A.2 & B). The following conditions apply separately and jointly to all stages of the development unless otherwise specified in each condition. Separate Construction Certificates may be issued for each stage of the development. However, sufficient information must be contained within each construction certificate to demonstrate that the works in each stage will be compliant with the conditions of this consent.		
	Reason: To allow development to be completed in stages.		
3.	The development shall comply with the requirements of the General Terms of Approval in the Water NSW letter dated 22 February 2016.		
	Reason: To comply with Water NSW requirements.		
	<u>Separate Approvals Required</u>		
4.	The specific commercial use or occupation of each commercial tenancy must be the subject of further development approval for such use or occupation.		
Reason:	To ensure development consent is obtained prior to that use commencing.		
5.	The specific use or occupation of the community facility must be the subject of further development approval for such use or occupation.		
Reason:	To ensure development consent is obtained prior to that use commencing.		
6.	No advertisement/signage shall be erected on or in conjunction with the development without prior consent.		
	Reason: To comply with legislative controls.		
7.	A separate application must be made to Council or an accredited certifier to obtain approval of any strata plan under section 37 of the Strata Schemes (Freehold Development) Act 1973. The linen plan must not be issued until a final occupation certificate has been issued.		
Reason:	To comply with the Strata Schemes (Freehold Development) Act 1973.		
	<u>Other General Matters</u>		
8.	Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority immediately.		

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

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

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

10. 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.

See also the General Terms of Approval issued by NSW Primary Industries – Water contained in this Notice.

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

11. All electrical works must be carried out by a licensed electrician and in accordance with the relevant provisions of AS/NZS 3000.

Reason: To ensure compliance of relevant standards.

12. All waste storage rooms/areas are to be fully screened from public view and are to be located clear of all landscaped areas, driveways, turning areas, truck standing areas and car parking spaces. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time.

Reason: To maintain the amenity of the area.

Prior to the Issue of a Construction Certificate

(Note: *Some conditions contained in other sections of this consent (including prior to occupation/use commencing) may need to be considered when preparing detailed drawings/specifications for the Construction Certificate.*)

13. Separate construction certificates shall be issued for the stages of development as per the approved staging plans approved. For the avoidance of doubt, each stage is independent and are not required to be completed concurrently or contemporaneously.

Reason: To ensure compliance with the Staging plan.

14. Prior to commencement of any construction works and drainage works associated with the subject site (including excavation if applicable), it is mandatory to obtain a Construction Certificate for that respective Stage. 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.

15. Prior to the commencement of any excavation works on site and prior to the issue of any Construction Certificate, 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.

16. The perimeter walls and floor of the basement shall be constructed using a "Tank Construction" method, to prevent any flood and ground waters seeping through the basement walls and floorbase. The landowner shall manage groundwater inflows and outflows during construction and thereafter in perpetuity, including monitoring, to ensure all of the requirements of the Water NSW/DPI Water are satisfied and that there are no adverse effects on the environment and public health, including water table levels, surface and groundwater flow regimes, contamination and pollution, flooding and water quality and structural stability. Requirements for the design and construction of the perimeter walls and floor of the basement are also outlined in the General Terms of Approval from the NSW Primary Industries – Water also contained in this Notice. The General Terms of Approval also prescribe requirements for the management of groundwater flows around the building. Details of the construction in accordance with this requirement and verified by a suitably qualified engineer shall be provided to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate including basement floor levels.

Reason: Protection of the environment and public health.

17. Prior to the issue of any Construction Certificate for works at ground level or above, a set of Public Domain Plans, prepared by a qualified landscape architect and engineer, detailing the provision of public domain upgrades, must be submitted to and approved by Council.

The Public Domain Plans are to cover the following areas:

- all the frontages of the development site between the gutter and building line in Rowell Street, East Street and Cowper Street, including road pavement, kerb return, kerb & gutter, in-road planting, footpath, planting beds, drainage, forecourt, and front setback areas;
- the frontages of properties at 15-19 East Street & 10-12 Cowper Street, Granville
- the dedicated public park fronting Cowper Street and the area connecting the existing heritage

house; and

- the proposed through-site link connecting Cowper Street and East Street.

The Public Domain Plans shall include details of the road pavement, kerb returns, pedestrian refugee islands, kerbs & gutters, in-road planting, footpaths, planting beds, drainage, and front setback areas within the public domain and publicly accessible areas generally in accordance with the Public Domain Civil Works drawings by Marchese Partners Engineers and Landscape Plans by Arcadia Landscape Architecture hereby approved subject to the following additional requirements:

- The latest City of Parramatta Public Domain Guidelines (PDG). The consultant shall contact Council's Urban Design team for the latest design standards and material specifications before finalising the documentation;
- Fully coordinated across the survey, architectural, landscape, engineering, lighting, stormwater and lighting plans;
- The existing kerb and gutter outside the development site and the adjacent properties at 15-19 East Street and 10-12 Cowper Street shall be reconstructed in according to City of Parramatta's design standard DS1. A 500mm wide road bitumen pavement shall be removed and replaced to meet the proposed kerb levels.
- The proposed kerb ramps must be amended to comply with City of Parramatta's design standards (drawing no: DS4) and PDG.
- The two kerb returns on Rowell Street shall be designed to balance the needs for both vehicle and pedestrian. They shall be designed to minimise the lengths of crossing at the intersections to City of Parramatta engineer's satisfaction.
- According to the Public Domain Guidelines - Granville town centre paving strategy, the 'Secondary Stone Treatment' shall be applied on the footpath. The treatment consists of granite flagstone ('Adelaide Black' or 'Austral Black' at 100x200x50mm) and Asphalt. The paving upgrade should include the entire public domain areas between the planting beds or stairs on the street level and the back of kerb. The detailed paving design must comply with the City of Parramatta standard paving details - DS45 (granite treatment), which can be obtained from the City of Parramatta Urban Design Team.
- The public and private land boundary shall be clearly defined by using metal edges in pavement or planting bed edges.
- The proposed continuous planted verge along the kerb on Rowell, East and Cowper Street should be removed and replaced with extended tree pits and paved egress zone for parked cars. The applicant should consult with City of Parramatta Urban Design Team during the preparation of the final footpath design prior to the submission of the Public Domain Plans.
- Details of the proposed in-road tree planting shall be included in the Public Domain CC set to clearly demonstrate the intent of stormwater treatment or passive irrigation.
- The awning details shall be properly illustrated in the public domain plans in term of the location, height, width and thickness. A detailed cross section (no less than 1:50 scale) shall be provided to indicate its relationship with kerb, footpath, street tree, street wall, and any overhead structures. A minimum 2m clearance shall be provided between kerb face to awning outline to ensure sufficient growth spaces for street trees.
- Any proposed gates for the proposed through-site links must be shown in the Public Domain Plan.
- All the public domain, site entries, thru-site links and other public-accessible areas must comply with the DDA and AS1428 requirements. Any required accessible facilities, including ramps, hand rails, TGSIs at site entries, must be located within the site boundaries without encroaching pedestrian desire lines or clear paths of travel.
- Public seating furniture and bin may be required to be provided in the footpath area. Any proposed public furniture shall comply with the requirements in the PDG.

- Standard Kerb Ramps are to be constructed at the intersections of **East Street, Rowell Street and Cowper Street** in accordance with Council Plan No. DS4 and the approved Public Domain Plans. Details must be submitted with the Public Domain Plans to be approved by Council prior to construction. All costs must be borne by the applicant.

Reason: To set the standards for reconstruction of the public domain.

18. The proposed landscape works in the public park shall be of low maintenance species. The proposed plantings, including the trees in the raised garden beds, need to be reviewed to ensure this public space requiring minimum maintenance by Council. The detailed design of the public park including details of the paving treatment and the accessible path of travel route between East Street and Cowper Street shall be submitted to Council for approval prior to the issue of any Construction Certificate for works at ground level or above.

Reason: To improve accessibility in the public domain and comply with AS1428.1.

19. The public park to be dedicated to Council in accordance with the approved plan shall be constructed in according to the finished levels showing in the approved architectural plans and landscape plans to ensure a suitable finished surface across the entire park and an accessible path of travel which is publicly accessible between East Street and Cowper Street. Localised adjustment of levels to suit building entries is not permitted in the dedicated area. These details are to be included in the plans to be submitted to Council for approval in accordance with the above condition prior to the issue of any Construction Certificate for works at ground level or above.

Reason: To improve accessibility in the public domain and comply with AS1428.1.

20. The public and private domains shall be clearly defined around the perimeters of the development. The proposed planter beds along East Street shall be redesigned to be aligned with the road reserve/property boundary. Seating and other furniture is to be integrated into the planting strip subject to the final design that is to be approved by Council's Urban Design team prior to the issue of any Construction Certificate for works at ground level or above.

Reason: To define the boundary between the public and private domain.

21. The applicant is to engage a 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 prior to the issue of the first Construction Certificate. Should the detailed site investigation determine that remediation is required, the remediation work is to be subject to a Remediation Action Plan (RAP) prepared by NSW EPA accredited site auditor.

If a RAP is required, it is to be implemented concurrent with demolition, site preparation and excavation works. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

A site audit statement is to be submitted to Council and the principal certifying authority on the completion of remediation works and prior to the commencement of construction works.

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

22. Details of the methods for access controls (such as security gates, security doors, intercoms and the

like) to be installed at each point of access between private space and publicly accessible space are to be indicated on the plans to the satisfaction of the Principal Certifying Authority prior to the issue of any Construction Certificate for basement works. The details are to clearly demonstrate that these access points can be secured for authorised access only and to safely separate public and private spaces in accordance with the principles of Crime Prevention Through Environmental Design (CPTED).

Reason: To ensure access controls comply with CPTED.

23. Screening in the form of fencing and planting shall be indicated on the Landscape Plan submitted with the Construction Certificate to separate private open space areas for apartments at Level 4 (podium level) from the adjoining communal open space areas.

Privacy screens shall be fixed to the windows of bedrooms and study rooms adjacent to the common pedestrian pathways at Level 4 (podium level) of Building C to achieve visual privacy for these rooms as viewed from the adjoining communal open space. Details of the privacy screens shall be indicated on the plans submitted for any Stage A.2 Construction Certificate to the satisfaction of the Principal Certifying Authority.

Reason: To achieve visual privacy between private and communal spaces.

24. A Detailed Public Art Plan prepared by a suitably qualified and experienced public art consultant in accordance with the 'Art in the Public Domain Guideline' shall be approved by Council prior to the issue of any Construction Certificate for works at ground level or above. The Public Art Plan is to include contextual and historical themes and design details of each public art work including concept drawings, scale and context, materials and finishes, timeline showing staging of the artwork and an estimated budget indicated on the approved plans.

Reason: To achieve public art which is consistent with Council's guidelines.

25. A license shall be obtained from the NSW Department of Primary Industries (Water) for approval to extract groundwater under the provisions of the Water Management Act, 2000.

See also the General Terms of Approval from NSW Primary Industries – Water included in this notice.

Reason: To comply with Department of Infrastructure, Planning and Natural Resources requirements.

26. All outdoor lighting and lighting of publicly accessible spaces including lighting of the public park and publicly accessible through-site link must comply with the relevant provisions of AS/NZ1158.3: 1999 *Pedestrian Area (Category P) Lighting* and with AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting* and designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. A detailed lighting plan demonstrating compliance with these requirements be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate for works at ground level or above.

Reason: To protect the amenity of the surrounding neighbourhood from the emission of light and to provide high quality external lighting for security without adverse effects on public amenity from excessive illumination levels.

27. Adequate clearance shall be provided to all tanks, chambers, filters and electrical components. Details of clearance provisions for ongoing maintenance and servicing shall be indicated on the plans submitted with each Construction Certificate application to the satisfaction of the Principal Certifying Authority.

Reason: To enable access for maintenance.

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

Reason: To ensure appropriate safeguards against salinity.

29. All chutes for management of garbage and recyclables must be designed in accordance with the requirements of the Building Code of Australia and the Department of Environment and Climate Change Better Practice Guide for Waste Management in Multi-Unit Dwellings. Chutes for garbage and recyclables must be clearly labelled for separation of items to discourage improper use. Details of the design shall be included in the information submitted with each Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure waste and recyclables management facilities and equipment is appropriately designed and managed.

30. Storage rooms for waste and recyclables are to be provided within the development as indicated on the approved plans 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.

Details shall be indicated on the plans submitted with each Construction Certificate application that demonstrate compliance with these requirements to the satisfaction of the Principal Certifying Authority.

Reason: To ensure provision of adequate waste storage arrangements.

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

Prior to the issue of any Construction Certificate for works at ground level or above a report including accompanying plans shall be submitted to the satisfaction of the Principal Certifying Authority that provides details of the private contractor that will be engaged to collect domestic waste from the

subject site. If Council is not the principal certifying authority a copy of this report and accompanying plans is required to be provided to Council. This report shall identify the frequency of collection and provide details of how waste products including paper, aluminium cans, bottles etc, will be re-cycled. Waste collection from the site shall occur in accordance with the details contained within this report.

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

32. The development must incorporate adaptable dwellings as shown in the approved plans titled 'Adaptable Unit Plans' Job No.16007 Drawing DA5.01 Rev.B dated 24 August 2016 prepared by Marchese Partners. Plans submitted with each construction certificate application must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

Reason: To ensure the required adaptable dwellings are appropriately designed.

33. At least 20% of all residential units shall be designed and fit-out to achieve the 'silver level' requirements as set out in the Liveable Housing Design Guidelines Details published by Liveable Housing Australia. Details shall be submitted to the satisfaction of the certifying authority prior to the issue of the Construction Certificate for each stage.

Reason: To ensure study rooms are not converted to use as bedrooms.

34. 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 each 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.

35. Access and services for people with disabilities shall be provided to the 'affected part' of the building in accordance with the requirements of the Access to Premises Standard 2010 and the National Construction Code 2013. Detailed plans, documentation and specification must accompany each application for a Construction Certification to the satisfaction of the Certifying Authority.

Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

36. 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 each application for a Construction Certificate.

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

37. Prior to issue of any construction certificate for above ground works the applicant shall submit an addendum to the acoustic report prepared by Resonate Acoustics, reference SI1523SRPI Rev. 1 dated 28 July 2016 and Addendum dated 9 November 2016, by a suitably qualified and experienced acoustic

engineer, that demonstrates, to the satisfaction of Council's Manager Development and Traffic Services, that the building will comply with the following:

- a) The Department of Planning's document titled "Development Near Rail Corridors and Busy Roads-Interim Guidelines";
- b) The requirements of Clause 87(3) of State Environmental Planning Policy (Infrastructure) 2007;
- c) AS3671-1989 (Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction);
- d) AS2107-2000 (Recommended design sound levels and Reverberation times in Building interiors); and
- e) The NSW Environment Protection Authority's Environmental Criteria for Road Traffic Noise and the Environmental Noise Control Manual (Sleep Disturbance).

Where there is any conflict between the standards recommended in the above, the more conservative standards shall apply.

The recommendations in the acoustic reports shall be incorporated into the plans and documentation accompanying the relevant construction certificate application to the satisfaction of the Principal Certifying Authority.

Reason: To ensure a suitable level of residential amenity and satisfy the requirements of Sydney Trains.

38. External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany each application for a construction certificate to the satisfaction of the Certifying Authority.

Reason: To have a minimal impact on the neighbouring property.

39. All apartments with single southerly aspects are to be provided with performance glazing to all external windows and glass sliding doors to improve internal amenity in keeping with BASIX requirements. Details of the glazing treatment for all single southerly aspect apartments compliant with this requirement are to be indicated in the plans submitted each application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

Reason: To improve the interior amenity and environmental performance of single southerly aspect apartments.

40. In accordance with commitments made in documentation submitted with the development application and as indicated on the approved plans, the minimum floor to floor height of residential apartments is to be 3.1m in order to optimise the level of solar access and ambient light to each apartment. Details indicated on the plans to be submitted with each Construction Certificate application shall verify compliance with this requirement to the satisfaction of the Principal Certifying Authority.

Reason: To improve the interior amenity and environmental performance of all apartments.

41. The bicycle storage area must be capable of accommodating a minimum of 336 bicycles within a

fixed bicycle rail. The bicycle storage areas and bicycle rail must be designed to meet the requirements of AS 2890 – Off-street Car Parking Facilities (2004). Details of compliance with this standard are to accompany each Construction Certificate application to the satisfaction of the Certifying Authority.

Reason: To promote and provide facilities for alternative forms of transport.

42. The Applicant shall provide written evidence demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service. The written evidence is to be submitted to Council prior to the issue of any Construction Certificate for basement works.

Reason: To comply with Council's parking requirements.

43. 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. Details are to be illustrated on plans submitted with each construction certificate application.

Note: Each disabled parking space is to be provided as a 2.4m x 5.4m dedicated space and shared area in compliance with AS2890.6-2009.

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

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

Note: No permanent obstructions (such as landscaping) are to be permitted on-street within 4.5m west of the vehicular crossing on Cowper Street, which services the loading bay.

Reason: To ensure appropriate vehicular manoeuvring is provided.

45. Where a security roller shutter or boom gate prevents access to visitor carparking, an intercom system is required to be installed to enable visitor access to the car parking area. Details of the system and where it is to be located is to accompany each application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure visitor carparking is accessible.

46. Design Verification issued by a registered architect is to be provided with each application for a Construction Certificate detailing the construction drawings and specifications are consistent with the design quality principles in State Environmental Planning Policy No-65. Design Quality of Residential Flat Development.

Note: Qualified designer in this condition is as per the definition in SEPP 65.

Reason: To comply with the requirements of SEPP 65.

47. A noise management plan must be submitted to Council for approval prior to any work commencing and complied with during any demolition, remediation, excavation or construction works. The plan must be prepared in accordance with the NSW Department of Environment, Climate Change and Water 'Interim Noise Construction Guidelines 2009' 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
- (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 the subject 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 subject 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.

48. All planting beds and boxes shall have no less than 700mm soil level with free draining soil mixes, in accordance with AS 4419:1998 – Soils for landscaping and garden use, and incorporated with drainage layers and pipes connecting to stormwater or drain. An automatic irrigation system shall be set up for the planting beds. The public domain construction documentation must include the full performance specifications for the installation and operation of the planters and be submitted for the approval of Council officers prior to the issue of each construction certificate.

Reason: To ensure the appropriate streetscape is maintained.

49. Construction and section details of all proposed on-slab planter boxes showing substrate depth, drainage, waterproofing etc., for ground floor and roof top planter boxes are to be provided with each application for a Construction Certificate.

Despite the requirements of any other conditions of consent, planter boxes located over on-site detention tanks and/or podium slabs are to have a minimum depth of 600mm for the planting of shrubs and/or trees and a minimum of 300mm depth for turf/groundcovers proposed.

The proposed soil depths are to be certified by the Landscape Architect to meet the requirements of the proposed species to be planted and provided with each application for a Construction Certificate.

Reason: To ensure the creation of functional gardens.

50. Prior to the issue of each Construction Certificate, the Certifying Authority must be satisfied the footings of the proposed terrace with pergola and stormwater drainage pits and associated drainage lines will be designed so as not to impact on the trees required to be retained. In order to reduce the impact on the root structure, isolated piers or pier and beam construction is to be used within the following radius of the nominated tree(s):

	Name	Common	Radius
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		Name	from the trunk
	<i>Corymbia citriodora</i>	Lemon Scented Gum	8.4 metres

Plans submitted with the Construction Certificate application must reflect the above requirements.

Reason: To ensure adequate protection of existing trees.

51. A Methodology Statement, prepared by a suitably qualified Arborist (Australian Qualification Framework Level 5), must accompany each application for a Construction Certificate. This statement is to identify the measures to be implemented for protection of one (1) *Corymbia citriodora* (Lemon Scented Gum) during construction and the expected future health of the tree. The statement is to be structured so that each of the following stages of construction are individually addressed, namely:

- (a) Excavation;
- (b) Canopy trunk and tree root protection;
- (c) Construction of anything located within the canopy dripline;
- (d) Installation of services (i.e. bridging of roots); and
- (e) Back filling

Reason: To ensure adequate protection of existing trees.

52. Detailed drawings demonstrating the provision of new street trees in the public domain as specified below shall be submitted to the satisfaction of Council officers prior to the issue of any Construction Certificate for works at ground level or above.

The new street trees shall be placed in accordance with the minimum clearance requirements in the City of Parramatta Public Domain Guidelines. The required tree species, quantities and supply stock are:

Street Name	Botanical Name	Common name	Average spacing
Rowell Street	<i>Melaleuca linariifolia</i>	Narrow-leaved Paperbark	8.5 m
E	<i>Lophost</i>	Brush Box	2

as t St re et (i n- ro a d)	<i>emon confertu s</i>			0 m
E as t St re et (f o ot p at h)	<i>Tristani opsis laurina 'Luscious'</i>	Luscious Water Gum		8 m
C o w p er St re et (i n- ro a d)	<i>Ulmus parvifoli a</i>	Chinese Elm		2 0 m
C o w p er St re et (f o ot p at h)	<i>Tristani opsis laurina 'Luscious'</i>	Luscious Water Gum		8 m

The tree supply stock shall comply with the guidance given in publication *Specifying Trees: a guide to assessment of tree quality* by Ross Clark (NATSPEC, 2003). The requirements for height, calliper and branch clearance for street trees are:

C o n t a i n e r S i z e	Height (above container)	Caliper (at 300mm)	Clear Trunk Height
2 0 0 lit re	2.8 metres	60mm	1.5 metres

The tree planting details shall be in accordance with the site conditions and Council's standard street tree planting details with 'StrataVault', and the requirements detailed as below (unless otherwise advised by City of Parramatta Urban Design Team prior to the issue of the first Construction Certificate).

The required soil volumes are:

Tree Species		Crown Projec tion	Approx. Soil Volume Range
<i>Lophostemon confertus</i>		113m ²	50-55m ³
<i>Ulmus parvifolia</i>		113m ²	50-55m ³
<i>Melaleuca linarifolia</i>		50.2m ²	22-25m ³
<i>Tristaniopsis laurina 'Luscious'</i>		28m ²	13-15m ³

The sizes and finishes of the tree pits are:

S t r e e t N a m e	Tree Species	Pi t S i z e s	Understor ey Planting Species/Si zes
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	R o w e l l S t r e e t	<i>Melaleuca linarifolia</i>	1. 8 m x 2. 4 m		Dianella caerulea 'Little Jess'
	E a s t S t r e e t	<i>Tristania opsis laurina 'Luscious'</i>	2 m x 6 m		Dianella caerulea 'Little Jess'; Dianella tasmanica 'Silver Streak'; and Nandina domestica 'Golf Stream'
		<i>Lophospermum confertum</i>	2. 5 m x 2. 5 m		TBC
	C o w p e r S t r e e t	<i>Tristania opsis laurina 'Luscious'</i>	2 m x 6 m		Dianella caerulea 'Little Jess'; Dianella tasmanica 'Silver Streak'; and Nandina domestica 'Golf Stream'
		<i>Ulmus parvifolia</i>	2. 5 m x 2. 5		TBC

The new street trees shall be placed to comply with the clearance requirements in the City of Parramatta Public Domain Guidelines and the Public Domain Plans to be submitted with the first Construction Certificate.

A site investigation and underground service mapping might be required prior to the issue of the first Construction Certificate to identify any potential constraints on tree planting.

The base of all tree pits shall incorporate a drainage pipe that connects to Council's road stormwater system wherever possible.

Reason: To achieve street tree planting consistent with Council's requirements.

- 53.** An Environmental Enforcement Service Charge must be paid to Council prior to the issue of the first Construction Certificate. The fee will be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

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

- 54.** An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of the first Construction Certificate.

The fee will be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

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

- 55.** In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds payable to Council for the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application/approval associated with the allotment, (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate is not required.

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA 961/2015;
- (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:

Bond Type	Amount
Hoarding	\$5000
Street Furniture	\$2000
Nature Strip and Roadway	\$20,000

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to Parramatta City Council with the payment of the bond/s for each Stage.

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

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

56. Residential building work, within the meaning of the Home Building Act 1989, must not be carried out unless the Certifying Authority for the development to which the work relates fulfils the following:

- (a) In the case of work to be done by a licensee under the Home Building Act 1989; has been informed in writing of the licensee's name and contractor licence number; and is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989, or
- (b) In the case of work to be done by any other person; has been informed in writing of the person's name and owner-builder permit number; or has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

e: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purpose of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

Reason: To comply with the Home Building Act 1989.

57. A Construction Certificate is not to be issued unless the Certifying Authority is satisfied the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

Reason: To ensure that the levy is paid.

58. A monetary contribution comprising \$1,640,169.55 is payable to Parramatta City Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta Section 94A Development Contributions Plan (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 for each stage of the development proportionate to the gross floor area to be constructed in that stage. In this condition 'gross floor area' has the same meaning set out in Parramatta Local Environmental Plan 2011.

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

Parramatta Section 94A Development Contributions Plan (Amendment No. 4) can be viewed on Council's website at:
http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions

Reason: To comply with legislative requirements.

59. Stormwater discharges from the site must be connected with an underground connection to Council's piped drainage system, including extension of such system as needed to Council specifications. Council requires that such street drainage pipelines be constructed to 20 ARI capacity, unless otherwise approved. The Applicant is required to assess and design this infrastructure to Council's satisfaction and incorporate it in the development.

Details of this shall be submitted for the approval of Council's Manager DTSU, prior to the issue of any Construction Certificate for works at ground level or above.

Reason: To achieve development that provides appropriate stormwater management.

60. 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 each application for a Construction Certificate.

Reason: To ensure satisfactory stormwater disposal.

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

The provision of retaining walls along common property boundary lines shall not impact on neighbouring properties. If there is to be an impact on neighbouring properties (including fencing) then written approval from the affected neighbouring landowner shall be obtained and submitted to the Certifying Authority prior to the commencement of any works on the property boundary.

Structural details, certified by a practicing structural engineer, shall accompany each application for a Construction Certificate for assessment and approval by the Certifying Authority prior to the issue of each Construction Certificate.

Reason: To minimise impact on adjoining properties.

62. 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 the issue of any Construction Certificate for basement works.

Reason: To ensure satisfactory storm water disposal.

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

A Flood Evacuation, Emergency Access and 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 first application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure the structure can withstand flooding events.

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

Reason: To ensure the flood warning system is installed.

- 65.** As part of the Stormwater Management System, stormwater quality treatment devices must be integrated into the landscape design and installed to manage surface runoff water to satisfy section 3.3.6.1 of Parramatta City Council Development Control Plan 2011. Details of the proposed landscape elements, treatment devices and their location must be submitted for approval of Council's Manager DTSU which must be given prior to release of each Construction Certificate.

Reason: To ensure appropriate water quality treatment measures are in place.

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

with.

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

67. 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 each 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.

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

Reason: To ensure appropriate drainage.

69. Foundations adjacent to the drainage pipes, within the adjoining public roads and reserves, must be constructed in accordance with Council's Code, "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements". Details must accompany each application for a Construction Certificate.

Reason: To ensure structural stability of the stormwater pipe.

70. The grades of the driveways, 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 each application for a Construction Certificate.

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

71. The approved plans must be submitted to a Sydney Water Quick Check agent or Sydney Water Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, storm water drains and/or easements, and if further requirements need to be met. This process will result in the plans being appropriately stamped.

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

Notes: For Quick Check agent details please refer to the web site www.sydneywater.com.au – see Building and Developing – then Quick Check or telephone 13 20 92. For Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing - then Building and Renovating or telephone 13 20 92.

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

72. 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 each Construction Certificate.

Reason: To ensure satisfactory waste water disposal.

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

Reason: To ensure Council's assets are not damaged.

74. Where work is likely to disturb or impact upon 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 each 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.

75. To reduce the extent of overhead cabling, all service mains required to facilitate the development must be underground both within the allotment boundaries and the public way. Details must be provided with the plans and documentation accompanying each application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

76. Documentary evidence to the satisfaction of the Certifying Authority is to accompany each 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.

77. Electricity provision within the subject site is to be made to an underground connection within the street. Certification from an energy provider addressing their requirements for this provision is to be forwarded to the Certifying Authority with the application for each Construction Certificate.

Reason: To ensure appropriate streetscape amenity.

78. Prior to the issue of each Construction certificate, the Certifying Authority must be satisfied that all plant and equipment (including but not limited to air conditioning equipment) is located within the basement or otherwise suitably concealed within the building envelope and concealed from view from adjoining public places.

Note: *Architectural plans identifying the location of all plant and equipment must be provided to the Certifying Authority prior to the issue of the Construction Certificate.*

Reason: To minimise impact on surrounding properties, improved visual appearance and amenity for locality.

79. 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 each Construction Certificate application to the satisfaction of the Certifying Authority.

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

80. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed on each tower to service the development. A connection is to be provided internally to each dwelling/unit within the development and connections are to be operable prior to the issue of an Occupation Certificate.

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

Reason: To protect the visual amenity of the area.

81. Exhaust gases shall be discharged via a ventilation system installed in accordance with AS/NZS 1668: 2002- The Use of Mechanical Ventilation and Air-conditioning in Buildings. Details of the ventilation system demonstrating compliance shall be submitted with each Construction Certificate application to the satisfaction of the Principal Certifying Authority.

Reason: To ensure the correct installation and operation of equipment for the protection of the local environment.

82. Prior to the issue of a Construction Certificate the Applicant must hold current public liability insurance cover for a sum to be determined by Sydney Trains. This insurance shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

83. Prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

84. Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

Reason: To comply with the requirements of Sydney Trains and Clause 85(2) of SEPP (Infrastructure)

2007.

85. Prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

86. Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. It should be noted that craneage and other aerial operations will not be permitted over or in close proximity of the adjacent Sydney Trains high voltage power line. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

87. Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

PRIOR TO ANY WORKS COMMENCING

88. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:

- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
- (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

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

Reason: To comply with legislative requirements.

89. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:

- (a) The location of hazardous materials throughout the site;

- (b) A description of the hazardous material;
- (c) The form in which the hazardous material is found, e.g. AC sheeting, transformers, contaminated soil, roof dust;
- (d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- (e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- (f) Identification of the disposal sites to which the hazardous materials will be taken.

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

90. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.

Reason: To ensure public safety.

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

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

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

This condition does not apply where works are being carried.

Reason: Statutory requirement.

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

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

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

- (a) Above;
- (b) Below; or
- (c) On

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

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

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

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

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

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

Reason: To ensure adequate toilet facilities are provided.

95. Prior to the commencement of work, 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.

96. Prior to the commencement of any works on site, the applicant must submit a Construction Site Management Plan and Construction Traffic Management Plan to the satisfaction of the Principle Certifying Authority. The following matters must be specifically addressed in the Plan:

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

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

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

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

- (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,

- (ii) Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.

- (d) Where applicable, the plan must address the following:

- (i) Evidence of RTA concurrence where construction access is provided directly or within 20 m of an Arterial Road,

- (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.

- (iii) Minimising construction related traffic movements during school peak periods,

The Construction Site Management Plan and Construction 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. The Construction Site Management Plan and the Construction Traffic Management Plan shall apply to Stages A.1, A.2 and Stage B of the proposed works.

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.

97. 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.

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

- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.

- (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be

ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.

- (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
- (d) The impact on groundwater levels in relation to the basement structure.
- (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from 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 potential for the excavation to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

- (f) The recommendations resulting from the investigations are to demonstrate the works can be satisfactorily implemented. An implementation program is to be prepared along with a suitable monitoring program (where 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 for the various stages of the works in order verify the design intent before certification can be issued and before proceeding with subsequent stages.

The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydrogeological engineer with demonstrated 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 properties and structures both during and after construction. The report must contain site specific geotechnical recommendations and must 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.

99. Details of the proposed reinforced concrete pipe-work within adjoining road reserves shall be submitted for Council's City Works Unit approval prior to commencement of any work.

Reason: To ensure adequate stormwater infrastructure is provided.

100. 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.

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

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

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

102. 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:

- (a) Protect and support the adjoining premises from possible damage from the excavation
- (b) 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.

103. 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 within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:

E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, 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 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 they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, 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 work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

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

Reason: Proper management of public land.

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

All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

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

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

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

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

105. The required Tree Protection Zones (TPZ) are to be established and in place prior to any works commencing according to the schedule below.

The area is to be enclosed with protective fencing consisting of 1.8m high fully supported chainmesh. The area enclosed is to be a designated "No-Go Zone" and is to be kept weed and grass free for the entire duration of works. The enclosed area is to be mulched with 100mm of leaf mulch to minimise disturbance to existing ground conditions for the duration of the construction works. "Tree Protection Zone" signage is to be attached to protective fencing; this must include the name and contact details of the site Arborist.

	Species	Common Name	Location	Radius from Trunk for TPZ
	<i>Corymbia citriodora</i>	Lemon Scented Gum	21-23 East Street	8.4 metres

Reason: To protect the trees to be retained on the site during construction works.

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

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

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

107. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts for the development project 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 satisfaction of the Principal Certifying Authority prior to commencement of any works on site.

Reason: To ensure waste is managed and disposed of properly

108. The Applicant is to obtain Sydney Trains endorsement prior to the installation of any hoarding or scaffolding adjacent to the Sydney Trains high voltage power lines.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

109. Prior to the commencement of works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

Demolition, Tree Protection, Tree Removal and Site Preparation (not including site excavation works)

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

Reason: To ensure trees are protected during construction.

111. Approval is granted for the demolition of all buildings and outbuildings currently on the property, subject to compliance with the following: -

- (a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.

Note: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.

- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (i) Demolition is to be completed within 2 months of commencement.
- (j) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (k) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (l) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
 - (i) Proposed ingress and egress of vehicles to and from the construction site;
 - (ii) Proposed protection of pedestrians adjacent to the site;
 - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
- (m) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (n) Before demolition works begin, adequate toilet facilities are to be provided.
- (o) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and

ensure compliance with AS2601-2001 – Demolition of Structures.

- (p) Within 14 days of completion of demolition, the applicant must submit to Council:
- (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
 - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

112. Following demolition activities, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. The soil investigation shall be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites and the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007.

A site audit statement shall be issued at the completion of the investigation by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.

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

113. Trees to be retained are:

	N a m e	C o m m o n N a m e		DBH Diamete r at breast height (mm)	Tre e Pro tect ion Zon e (m)
	C o r y m b i a c i t r i	Le m o n Sc e nt e d G u m		700mm	8.4 me tres

		o d o r a			
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Reason: To protect significant trees which contribute to the landscape character of the area.

114. Trees to be removed are:

	Species	Common Name	Location
	<i>Callistemon salignus</i>	Willow Bottlebrush	29 East Street
	<i>Callistemon sp</i>	Bottlebrush	Development site
	<i>Callistemon sp</i>	Bottlebrush	Street Trees

Reason: To facilitate development.

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

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

116. Trees greater than 5 metres in height must not be removed or damaged from the subject property or adjoining properties unless approved by this Consent.

Reason: To preserve existing landscape features.

117. A minimum Australian Qualification Framework Level 3 arboriculture service provider is to remove the following street trees:

	Name	Common Name	Name of Street Frontage
	<i>Callistemon sp</i>	Bottlebrush	Cowper Street

Note: All approved tree removal works must conform to the Tree Work Draft Code of Practice 2007.

All new/replacement street tree plantings shall be planted in accordance with approved plans and conditions of this consent.

Reason: To ensure restoration of environmental amenity.

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

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

119. 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.

During Works

120. 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.

121. With the exception of the approved public domain works, the development must be constructed within the confines of the property boundary. No portion of the proposed structure, including footings/slabs, gates and doors during opening and closing operations must encroach upon Council's footpath area or the boundaries of the adjacent properties.

Reason: To ensure no injury is caused to persons and the building is erected in accordance with the approval granted within the boundaries of the site.

122. A copy of this development consent and any construction certificate together with all stamped plans, referenced documents and associated specifications is to be held on-site during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent and construction certificate details.

Reason: To ensure compliance with this consent and future construction certificates.

123. 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.

See also the General Terms of Approval from NSW Primary Industries – Water included in this notice.

Reason: To prevent pollution of waterways.

124. A range of inspections will be carried out by City of Parramatta officers during the construction

phase. The applicant must contact Council's Civil Assets Inspector on (02) 9806 8250 for each inspection listed below. At least 48 hours notice must be given for all inspections. The required inspections include the following and apply to all Council and privately certified projects.

- 1) Commencement of public domain works including tree protection measures installed and set out of tree pits;
- 2) Subgrade inspection following excavation for footings, drainage and pavements, tree pits showing root barriers, structural soil cell, sub-surface drainage and irrigation system as required;
- 3) Installation of required underground conduits;
- 4) Blinding layer/concrete slab based completion and initial (indicative) setout of pavers street fixtures and fittings as applicable to ensure compliance with the requirements in the Public Domain Guidelines;
- 5) Delivery of street trees to site. Trees shall be installed within 24hrs of delivery;
- 6) Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

Reason: To ensure the quality of public domain works complying with Council standards and requirements.

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

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

Reason: To comply with statutory requirements.

126. 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.

127. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the construction, excavation or demolition shall be stored or placed on/in Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the Roads Act 1993.

Reason: To ensure pedestrian access.

128. Cigarette butt receptacles must be provided during the construction stage of the development. The receptacles are to be placed adjacent to designated break room/area of the subject site.

Reason: To ensure that adequate provision is made for the disposal of cigarette butts to prevent littering of the public domain.

129. All work (excluding demolition which has separate days and hours outlined below) 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.

Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.

Reason: To protect the amenity of the area.

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

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

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

Reason: To allow the Principal Certifying Authority/Council to respond to concerns raised by the public.

131. Noise emissions and vibration must be minimised, work is to be carried out in accordance with the NSW Department of Environment, Climate Change and Water's Interim Noise Construction Guidelines 2009 for noise emissions from demolition, excavation and construction activities.

Vibration levels resulting from demolition and excavation activities must not exceed 5mm/sec peak particle velocity (PPV) when measured at the footing of any nearby building.

Reason: To protect the amenity of the area.

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

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

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

Reason: To ensure appropriate disposal of asbestos materials.

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

Reason: To ensure appropriate disposal of asbestos materials.

135. A survey certificate is to be submitted to the Principal Certifying Authority at footing and/or formwork stage for each stage of the development. The certificate must indicate the location of the building in relation to all boundaries, and must confirm the basement levels, ground floor level and vehicle crossing levels are 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.

136. 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.

137. 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.

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

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

139. All excavation between the radial distance of 3 metres and 8.4 metres of *Corymbia citriodora* (Lemon Scented Gum), located on the subject site, is to be supervised by an Australian Qualifications Framework (AQF) Level 5 arborist. If during excavation the Arborist identifies remedial work is necessary, it is to be supervised by this Arborist.

Once the work is completed the Project Arborist is to provide certification to the Principal Certifying Authority.

Reason: To provide adequate protection of trees.

140. No excavation is to occur within the distance specified below:

	Species	Common Name	Location	Distance from trunk
	C	Lemon	21-23	3.0

	<i>or y m bi a ci tri o d or a</i>	Scented Gum	East Street	metres
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Reason: To ensure the protection of tree(s).

141. No service, structure, conduit or the like is permitted to be fixed or attached to any tree.

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

142. All trees supplied above a 25L container size must be grown and planted in accordance with:

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

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

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

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

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

144. Hazardous or intractable wastes and materials arising from the demolition process shall be removed and disposed of in accordance with the requirements of Work Cover NSW and the EPA, and with the provisions of:

- (a) Work Health and Safety Act 2011
- (b) NSW Protection of the Environment Operations Act 1997 (NSW) and
- (c) NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

Reason: To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner.

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

Reason: To prevent pollution of the environment.

146. 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.

147. Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property. A de-watering plan is required to be included and submitted to Council for review prior to issue of the first Construction Certificate.

Reason: To protect against subsidence, erosion and other nuisances

148. Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

Reason: To ensure proper management of Council assets.

149. 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.

150. The development must be undertaken strictly in accordance with the findings and recommendations contained in the Heritage Impact Assessment Report and Conservation Management Plan prepared by NBRIS & Partners dated January 2016 and revised CMP dated June 2016 unless modified by another condition of this consent.

Reason: To ensure the appropriate maintenance of Parramatta's Heritage.

151. If any European archaeological relics are discovered (or are believed to be discovered) during works, the works must cease and the NSW Office of Environment and Heritage must be notified, in accordance with the NSW Heritage Act.

If any Aboriginal archaeological relics are discovered (or are believed to be discovered) during works, the works must cease and the NSW Office of Environment and Heritage must be notified, in accordance with the NSW National Parks and Wildlife Service Act.

Reason: To ensure that the requirements of the Office of Environment and Heritage are met.

152. Should any part of the existing building which is indicated on the approved plans to be retained be damaged or in any way altered beyond the approved scope of works, all works on site are to cease and written notification to be provided to Council. No work is to resume until the written approval to continue works is obtained from the Council.

son: Conservation of listed heritage item and ensure compliance.

153. No rock anchors/bolts are to be installed into RailCorp's property.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

154. Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

155. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical infrastructure. This applies to the adjacent Sydney Trains high voltage power line.

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

Prior to the issue of an Occupation Certificate

156. Separate occupation certificates shall be issued for each stage. For the avoidance of doubt, each stage is independent and is not required to be completed concurrently or contemporaneously.

Reason: To ensure compliance with legislative requirements.

157. Occupation or use of the building or part of a building is not permitted until an Occupation Certificate has been issued in accordance with Section 109H of the Environmental Planning and Assessment Act 1979.

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

158. Certification from a qualified civil engineer is to be provided prior to the issue of the relevant Occupation Certificate that all public area civil and drainage works have been completed in accordance with Council's "Public Domain Guidelines" 2016.

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

159. Prior to the issue of each Occupation Certificate (including interim Occupation Certificate), the approved Public Domain Plan works, street trees, and stormwater infrastructure must be completed as approved to Council's satisfaction in the relevant areas (see below) and a Final Approval shall be obtained from Council's Assets & Urban Design teams.

Stage A.1:

- all the frontages of the development site between the gutter and building line in East Street and Cowper Street between the eastern boundaries of the site and the division between buildings in

Stages A.1 and Stage B, including road pavement, kerb return, kerb & gutter, in-road planting, footpath, planting beds, drainage, forecourt, and front setback areas;

- the frontages of properties at 15-19 East Street & 10-12 Cowper Street, Granville
- the dedicated public park fronting Cowper Street and the area connecting the existing heritage house; and
- the proposed through-site link connecting Cowper Street and East Street.

Stage B:

- all the remaining frontage of the development site between the gutter and building line in Rowell Street, East Street and Cowper Street, including road pavement, kerb return, kerb & gutter, in-road planting, footpath, planting beds, drainage, forecourt, and front setback areas;

Council will issue the Final Approval for the finished public domain works that complies with the approved public domain documentations and Council's satisfaction. A final inspection will be conducted by Council staff after all the works are completed and the defects identified during inspections are rectified. The Certificate of Completion shall not be issued until Council's final approved is obtained.

Reason: To ensure the required public domain improvements are provided.

160. Prior to the issue of the relevant Occupation Certificate (including interim Occupation Certificate), the power lines to the front of the following areas shall be undergrounded to the satisfaction of the energy provider, Sydney Trains and Council:

Stage A.1:

- all the frontages of the development site between the gutter and building line in East Street and Cowper Street between the eastern boundaries of the site and the division between buildings in Stages A.1 and Stage B
- the frontages of properties at 15-19 East Street & 10-12 Cowper Street, Granville
- the dedicated public park fronting Cowper Street and the area connecting the existing heritage house; and
- the proposed through-site link connecting Cowper Street and East Street.

Stage B:

- all the remaining frontage of the development site between the gutter and building line in Rowell Street, East Street and Cowper Street

Reason: To ensure the required public domain improvements are provided.

161. A Works-as-Executed Plan prepared for the Final Approval of public domain works shall be prepared and submitted to Council showing the final-approved public domain works after the completion of public domain works, and prior to any final inspection by Council staff and prior to the issue of the final Stage A.1 and Stage B Occupation Certificates.

Reason: To ensure the required public domain improvements are provided.

162. A two-year (104 weeks) maintenance period will apply to all the works constructed in the public domain including the public park to be dedicated to Council and the publicly accessible through-site link. A Landscape and Materials maintenance schedule prepared by a qualified Landscape Architect shall be submitted to Council, prior to the issue of final approval, that specifies the activities to be undertaken during the 104 weeks after Council's final approval how and who to maintain the public domain works.

Reason: To ensure the required public domain improvements are maintained.

163. Prior to issue of the first Occupation Certificate (including interim OC), the public domain construction works including the construction and landscaping within the public park to be dedicated to Council and the publicly accessible through-site link must be completed to Council's satisfaction and a Final Approval shall be obtained from Council's Assets & Urban Design teams.

Council will issue the Final Approval for the finished public domain works that complied with the approved public domain documentations and completed to Council's satisfaction and subject to a Works-as-Executed Plan verifying the completion of works in accordance with all approvals. A final inspection will be conducted by Council staff after all the works are completed and the defects identified during inspections are rectified. The Certificate of Completion shall not be issued until Council's final approved is obtained.

Reason: To ensure the required public domain improvements are provided.

164. The public park as shown in the approved Plan of Dedication Drawing SK200 Rev.A prepared by Marchese Partners and dated 14 November 2016 shall be constructed and dedicated to Council at no cost as a public place. For the avoidance of doubt, the park shall be dedicated prior to the issue of the Occupation Certificate (including any Interim Occupation Certificate).

Reason: To ensure required community benefits are achieved.

165. Prior to the issue of an Occupation Certificate for the community facility building, the applicant or the person authorized to act on the consent, shall liaise with the City of Parramatta Community Capacity Building team regarding the tenancing and use options for the proposed community facility.

Reason: To ensure the adaptive reuse of the heritage item.

166. Prior to the issue of each Occupation Certificate, the basement storage areas will be allocated to the applicable units. The allocation will be such that each unit has a minimum total secure storage volume (including the storage space within each unit) as follows:

- 1 bedroom units – 6m³
- 2 bedroom units – 8m³
- 3 bedroom units – 10m³

Reason: To ensure each unit has sufficient on-site storage capacity.

167. The conservation management works specified in the approved Conservation Management Plan by NBRS & Partners dated January 2016 and revised June 2016 are to be completed prior to the issue of the first Occupation Certificate for the re-use of the heritage item as a community facility. Verification from a suitably qualified and experienced heritage consultant is to be provided to the satisfaction of the Principal Certifying Authority.

Reason: To ensure the adaptive reuse of the heritage item.

168. The acoustic measures required by Condition 37 must be implemented prior to issue of each Occupation Certificate and verification of the installation provided by a suitably qualified and experienced acoustic engineer provided to the Principal Certifying Authority.

Reason: To minimise the impact of noise and protect the amenity of residents.

169. The artworks indicated in the approved plans and detailed in the Public Arts Plan submitted with the Construction Certificate must be installed to the satisfaction of the Principal Certifying Authority prior to the issue of the Stage B Occupation Certificate.

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

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

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.

171. A street number is to be placed on the subject site in a readily visible location from a public place prior to the issue of an Occupation Certificate for each Stage. The numbers are to have a minimum height of 75mm.

Reason: To ensure a visible house number is provided.

172. Under Clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all design measures identified in the BASIX Certificates No. 668930M_02, will be complied with prior to issue of an Occupation Certificate for the relevant Stage.

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

173. Prior to the issue of each 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.

174. Prior to the issue of any Occupation Certificate, the developer is to provide evidence that satisfactory arrangements have been made with the National Broadband NBN Co have been made where relevant and implemented at no cost to Council for the provision of broadband access to the development.

Note: For more information, contact NBN Co.;

Development Liaison Team:

Call 1800 881 816;

Email: newdevelopments@nbnco.com.au;

Web: www.nbnco.com.au/NewDevelopments.

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

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

Reason: To ensure provision of appropriately located telecommunication facilities.

176. The developer must submit to the Principal Certifying Authority documentation confirming satisfactory arrangements have been made for the provision of electricity services from an approved electrical energy provider to the development prior to the issue of each Occupation Certificate.

Reason: To ensure appropriate electricity services are provided.

177. A lighting diagram is required to be prepared by a suitably qualified lighting engineer and submitted to the Principal Certifying Authority prior to the issue of each Occupation Certificate. This diagram is to demonstrate lighting of publicly accessible spaces complies with the requirements of Australian Standard AS NZS 1158.3 1999 Pedestrian Area (Category P) Lighting and that light spillage generated by the proposed lighting system complies with the requirements of Australian Standard AS4284 - Control of Obtrusive Effects of Outdoor Lighting. Lighting standards and light spillage mitigating measures shall be maintained at all times.

Reason: To achieve safe standards of lighting to publicly accessible spaces and to prevent light spillage onto adjoining properties.

178. A written application to Council's Civil Assets Team for the release of a bond must quote the following:

- (a) Council's Development Application number; and
- (b) Site address.

The bond is refundable only where Council is satisfied the public way has been adequately reinstated, and any necessary remediation/rectification works have been completed.

The final Occupation Certificate is not to be issued until correspondence has been issued by Council detailing the bond has been released.

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

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

179. Design Verification issued by a registered architect is to be provided with each application for an Occupation Certificate verifying that the residential apartments have achieved the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development.

Note: Qualified designer in this condition is as per the definition in SEPP 65.

Reason: To comply with the requirements of SEPP 65.

180. Certification must be provided prior to the issue of each Occupation Certificate that the required adaptable dwelling(s) have achieved a class C design in accordance with the requirements of AS 4299 -1995.

Reason: To ensure the requirements of DCP 2011 have been met.

- 181.** 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 and or infrastructure.

The report is to be submitted to the PCA prior to the issue of the final occupation certificate. In ascertaining whether adverse structural damage has occurred to adjoining buildings/ infrastructure, the PCA must compare the post-construction dilapidation report with the pre-construction dilapidation report, and a copy of this report is to be forwarded to Council.

Reason: To establish any damage caused as a result of the building works.

- 182.** Works-As-Executed stormwater plans are to address the following:

- (a) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- (b) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- (c) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table
- (d) OSD Works-As-Executed dimensions' form (refer to UPRCT Handbook).
- (e) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
- (f) Approved verses installed Drainage Design (OSD) Calculation Sheet.

The above is to be submitted to the Principal Certifying Authority prior to the issue of each occupation certificate and a copy is to accompany the Occupation Certificate when lodged with Council.

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

- 183.** Prior to the issue of each 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 stormwater management system on the site.

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 stormwater facilities, relative to the building footprints.

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

Reason: To ensure maintenance of the stormwater management system.

- 184.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of each 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.

185. 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 first 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.

186. All individual parcels of land holding a separate title within the development site must be consolidated into one lot for each of the two stages of the development with the exception of the lot created for the public park. A plan of consolidation must be registered with the Land and Property Information Division of the Department of Lands, prior to each Occupation Certificate being issued for each stage.

Reason: To comply with the Conveyancing Act 1919.

187. Prior to the issue of each occupation certificate, convex mirrors are to be installed in accordance with approved plans, with their height and location adjusted to allow an exiting driver a full view of the driveways, circulation roadways and ramp in order to see if another vehicle is coming through. Convex mirrors are to be installed at both ends of ramps and at curve points.

Reason: To ensure safety of drivers.

188. 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 each Occupation Certificate being issued.

Reason: To ensure appropriate car parking.

189. Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way. Signage must be installed to the satisfaction of the Certifying Authority prior to the issue of each Occupation Certificate.

Reason: To ensure pedestrian safety.

190. Prior to the issue of each occupation certificate, signage is to be installed within the car parking areas clearly indicating the car parking spaces to be made available for visitors to the site.

Reason: To ensure adequate provision and use of on-site parking.

191. A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works for the relevant stage must be completed prior to the issue of an Occupation Certificate for that stage.

Reason: To ensure restoration of environmental amenity.

192. Final documentation including details of fabrication and installation of the work including a maintenance schedule must be submitted and approved by Council and Artwork completed in full and installed to the satisfaction of Council prior to the issue of the final Occupation Certificate.

Reason: To comply with Development control requirements.

193. Prior to issue of an Occupation Certificate for each stage, the applicant shall enter into a commercial contract for the collection of trade wastes and recyclable materials arising from business operations on site. A copy of all-waste contracts and receipts shall be kept on site and made available to Council officers on request.

Reason: To comply with the Requirements of the Protection of the Environment Operations Act 1997 and Regulations.

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

Reason: To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.

195. Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied

Reason: To comply with the requirements of Sydney Trains and Clause 86(4) of SEPP (Infrastructure) 2007.

On-going Operation and Use

196. The hours of operation of the ground floor commercial premises are restricted to 7am to 7pm daily unless approved otherwise under a separate application.

Reason: To minimise the impact of the use on adjoining properties.

197. 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.

198. All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the Protection of the Environment Operations Act 1997.

Reason: To ensure effective operation of equipment.

199. Trade waste water must be disposed of in accordance with the permit requirements issued by Sydney Water Corporation Ltd, Wastewater Source Control Branch.

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

200. 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.

201. 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.

202. 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.

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

Any air conditioners must not 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):

- (a) Before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
- (b) Before 7.00am and after 10.00pm on any other day.
- (c) Emit a sound pressure level when measured at a boundary of any other residential property, at a time other than those specified in (a) and (b) 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 minimise noise impact of air conditioning equipment and protect amenity.

204. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

Reason: To ensure the removal of graffiti.

205. All loading and unloading must:

- (a) take place within the designated loading areas on the subject property, or
- (b) take place within the approved loading dock to minimise disruption of public spaces, and
- (c) is to be carried out wholly within the subject site

Reason: To protect the amenity of the neighbourhood.

206. Any vehicular roller shutter door it is to be left open between 7am and 7pm each day.

Reason: To comply with Australian Standards and ensure that adequate queuing area is available to allow free influx of traffic which will not adversely affect traffic or pedestrian flows along Cowper Street.

General

1. An authorisation shall be obtained for the take of groundwater as part of the activity. Groundwater shall not be pumped or extracted for any purpose other than temporary construction dewatering at the site identified in the development application. The authorisation shall be subject to a currency period of 12 months from the date of issue and will be limited to the volume of groundwater take identified.
2. The design and construction of the building must prevent any take of groundwater after the authorisation has lapsed by making any below-ground levels that may be impacted by any water table watertight for the anticipated life of the building. Waterproofing of below-ground levels must be sufficiently extensive to incorporate adequate provision for unforeseen high water table elevations to prevent potential future inundation.
3. Sufficient permanent drainage shall be provided beneath and around the outside of the watertight structure to ensure that natural groundwater flow is not impeded and:
 - a. any groundwater mounding at the edge of the structure shall be at a level not greater than 10 % above the level to which the water table might naturally rise in the location immediately prior to the construction of the structure; and
 - b. any elevated water table is more than 1.0 m below the natural ground surface existent at the location immediately prior to the construction of the structure; and
 - c. where the habitable structure is founded in bedrock or impermeable natural soil then the requirement to maintain groundwater flows beneath the structure is not applicable.
4. Construction methods and material used in and for construction shall be designed to account for the likely range of salinity and pollutants which may be dissolved in groundwater, and shall not themselves cause pollution of the groundwater.
5. DPI Water requires documentation (referred to as 'report') comprising measurements, maps, bore logs, calculations, results, discussion and justification for various matters related to the dewatering process. Information will be required at several stages: prior to construction commencing (initial report - which will accompany the application for the authorisation), at any time when an authorisation renewal is required or a significant change in activities occurs (intermediate report); and at the completion of dewatering and related operations (completion report). Reports need to be submitted to DPI Water at Parramatta Office, in a format consistent with electronic retrieval without editing restrictions; raw data should be presented in Excel spreadsheets without editing restrictions.

Prior to excavation

6. The following shall be included in the initial report:
 - a. measurements of groundwater levels beneath the site from a minimum of three relevant monitoring bores, together with details of the bores used in the assessment including bore logs and three-dimensional identification information.
 - b. a map of the site and its immediate environs depicting the water table (baseline conditions) shown relative to the topography and approved construction footprint from the surface level and below. An assessment of the potential variation in the water table during the life of the proposed building together with a discussion of the methodology and information on which this assessment is based.
 - c. details of the present and potential groundwater flow paths and hydraulic gradients in and around the site; the latter in response to the final volumetric emplacement of the construction.

- d. a schedule for the ongoing water level monitoring and description of the methodology to be used, from the date of consent until at least two months after the cessation of pumping. [DPI Water prefers that monitoring be undertaken on a continuous basis using automatic loggers in boreholes.]
7. The Applicant shall assess the likely impacts of the dewatering activities on other groundwater users or structures or public infrastructure; this assessment will include an appropriate bore, spring or groundwater seep census and considerations relevant to potential subsidence or excessive settlement induced in nearby buildings and property, and be documented together with all calculations and information to support the basis of these in the initial report.
8. Groundwater quality testing of samples taken from outside the footprint of the proposed construction, with the intent of ensuring that as far as possible the natural and contaminant hydrochemistry of the potential dewatered groundwater is understood, shall be conducted on a suitable number of samples and tested by a NATA-certified laboratory. Details of the sampling locations and the protocol used, together with the test results accompanied by laboratory test certificates shall be included in the initial report. An assessment of results must be done by suitably qualified persons with the intent of identifying the presence of any contaminants and comparison of the data against accepted water quality objectives or criteria for the intended dewatering purpose. In the event of adverse quality findings, the Applicant must develop a plan to mitigate the impacts of the hydrochemistry on the dewatered groundwater and present the details of all assessments and plans in the initial report.
9. Groundwater quality testing generally in accordance with Clause 8, shall be undertaken on any anniversary or other renewal or alteration of any dewatering authorisation.
10. A reasonable estimate of the total volume of groundwater to be extracted shall be calculated and included in the initial report; together with details and calculation methods for the parameters and supporting information to confirm their development or measurement (e.g. permeability predicted by slug-testing, pump-testing or other means).
11. A copy of a valid consent for the development shall be provided in the initial report.
12. The method of disposal of pumped water shall be nominated (i.e. reinjection, drainage to the stormwater system or discharge to sewer) and a copy of the written permission from the relevant controlling authority shall be provided in the initial report. The disposal of any contaminated pumped groundwater (sometimes called "tailwater") must comply with the provisions of the *Protection of the Environment Operations Act 1997* and any requirements of the relevant controlling authority.
13. Contaminated groundwater (i.e. above appropriate NEPM 2013 thresholds) shall not be reinjected into any aquifer. The reinjection system design and treatment methods to remove contaminants shall be nominated and included in the initial report and any subsequent intermediate report as necessary. The quality of any pumped water that is to be reinjected must be demonstrated to be compatible with, or improve, the intrinsic or ambient groundwater in the vicinity of the reinjection site.

During excavation

14. Engineering measures designed to transfer groundwater around and beneath the basement shall be incorporated into the basement construction to prevent the completed infrastructure from restricting pre-existing groundwater flows.
15. Piping, piling or other structures used in the management of pumped groundwater shall not create a flooding hazard or induce mounding of groundwater. Control of pumped groundwater is to be maintained at all times during dewatering to prevent unregulated off-site discharge.
16. Measurement and monitoring arrangements to the satisfaction of DPI Water are to be implemented. Weekly records of the volumes of all groundwater pumped and the quality of any water discharged are to be kept and a completion report provided after dewatering has ceased. Records of

groundwater levels are to be kept and a summary showing daily or weekly levels in all monitoring bores provided in the completion report.

17. Pumped groundwater shall not be allowed to discharge off-site (e.g. adjoining roads, stormwater system, sewerage system, etc.) without the controlling authority's approval and/or owner's consent/s. The pH of discharge water shall be managed to be between 6.5 and 8.5. The requirements of any other approval for the discharge of pumped groundwater shall be complied with.
18. Dewatering shall be undertaken in accordance with groundwater-related management plans applicable to the excavation site. The requirements of any management plan (such as acid sulfate soils management plan or remediation action plan) shall not be compromised by the dewatering activity.
19. The location and construction of groundwater extraction works that are decommissioned are to be recorded in the completion report. The method of decommissioning is to be identified in the documentation.
20. Access to groundwater management works used in the activity is to be provided to permit inspection when required by DPI Water under appropriate safety procedures.

Following excavation

21. Following completion of the dewatering operations, the applicant shall submit to DPI Water, Parramatta Office, the completion report which shall include:
 - a. detail of the volume of water taken, the precise periods and location of water taken, the details of water level monitoring in all of the relevant bores; and
 - b. a water table map depicting the aquifer's settled groundwater condition and a comparison to the baseline conditions; and
 - c. a detailed interpreted hydrogeological report identifying all actual resource and third party impacts, including an assessment of altered groundwater flows and an assessment of any subsidence or excessive settlement induced in nearby buildings and property and infrastructure.
22. The completion report is to be assessed by DPI Water prior to any certifying agency's approval for occupation or use of the completed construction.

Right of Appeal:

If you are dissatisfied with this decision, Section 97 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court within six months after the date on which you receive this notice.