

COUNCIL ASSESSMENT REPORT

Panel Reference	2016SYW044
DA Number	DA/738/2014/A
LGA	City of Parramatta
Proposed Development	<p>S96(2) Modification to approval for demolition, tree removal and staged construction of a mixed use development complex containing three buildings with 6 commercial tenancies and 463 residential units, over basement car parking. The proposed modifications include:</p> <ol style="list-style-type: none"> 1. Consolidation of the basement levels below buildings on Blocks A and B; 2. Reconfiguration of the ground level commercial space resulting in a minor reduction of 72m² of commercial floor space; 3. Inclusion of a substation on the ground level of building on Block A; 4. Deletion of car park ramp at rear of building in Block B resulting in increased landscaping area; 5. Retention and reallocation of 491 approved car parking spaces ; and 6. Additional 68 storage spaces within basement.
Street Address	10-32 East Street Granville NSW 2142, LOT 1 DP 1221433
Applicant/Owner	Toplace Pty Ltd
Date of DA lodgement	3 March 2016
Number of Submissions	None
Recommendation	Approval subject to conditions of consent
Regional Development Criteria (Schedule 4A of the EP&A Act)	N/A
List of all relevant s79C(1)(a) matters	<ul style="list-style-type: none"> • Parramatta Local Environmental Plan 2011 • Parramatta Development Control Plan 2011 • Parramatta Section 94A Plan.
List all documents submitted with this report for the Panel's consideration	<ul style="list-style-type: none"> • Amended Architectural Plans • Statement of Environmental Effects
Report prepared by	Sasi Kumar , Team Leader Development Advice
Report date	

Summary of s79C matters

Have all recommendations in relation to relevant s79C matters been summarised in the Executive Summary of the assessment report?

Yes

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

Yes

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

Not Applicable

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)?

No

Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

Have draft conditions been provided to the applicant for comment?

Yes

Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report



ASSESSMENT REPORT – SECTION 96 MODIFICATION Environmental Planning & Assessment Act 1979

SUMMARY

Application details

DA No:	DA/738/2014/A
Assessment Officer:	Sasi Kumar
Property:	LOT 1 DP 1221433, 10 - 32 East Street, GRANVILLE NSW 2142
Proposal:	<p>S96(2) Modification to the approved demolition, tree removal and staged construction of a mixed use development complex containing three buildings with 6 commercial tenancies and 463 residential units, over basement car parking. The proposed modifications include:</p> <ol style="list-style-type: none">1. Consolidation of the basement levels below buildings on Blocks A and B;2. Reconfiguration of the ground level commercial space resulting in a minor reduction of 72m² of commercial floor space;3. Inclusion of a substation on the ground level of building on Block A ;4. Deletion of car park ramp at rear of building in Block B resulting in increased landscaping area;5. Retention and reallocation of 491 approved car parking spaces ;and6. Additional 68 storage spaces within basement.

The modification application will be determined by the Sydney West Central Planning Panel (SWCPP).

Date of receipt: 03-Mar-2016

Applicant:	Toplace Pty Ltd
Owner:	Mr M Li
Submissions received:	Nil
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor
Political donations/gifts disclosed:	None disclosed on the application form
Issues:	
Recommendation:	Approval

Legislative requirements

Zoning:	B4 Mixed Use
Permissible under:	Parramatta Local Environmental Plan 2011
Relevant legislation/policies:	Parramatta Development Control Plan 2011 BASIX SEPP, Section 94A Plan.
Variations:	None
Integrated development:	No
Crown development:	No

The site

Site Area:	5345.34m ²
Easements/rights of way:	Yes (Electrical easement to the west of the subject site)
Heritage item:	No
In the vicinity of a heritage item:	Yes (19 East Street (item No.1106) a single storey residence and 21-23 East Street (item No.1107),
Heritage conservation area:	No
Site History:	Yes

BACKGROUND

The original development application DA/738/2014 was approved by the Sydney West Joint Regional Panel (JRPP) on 26 October 2015. The approved development was for a staged construction for three separate Blocks A, B and C with 1 x 19 and 2 x 17 storey mixed use buildings across 10-42 East Street. Blocks A and B have now been consolidated as one Lot (Lot 1 DP1221433) covering street address numbers from 10 to 32 East Street and construction initiated. While the street addresses 38, 40 and 42 where Block C is proposed, have not yet been consolidated nor has construction been initiated.

Figure 1 below indicates the site for the original consent.



Figure 1: Site Map- Subject site highlighted in blue boundary line to which the original consent applies.

DA history

3 March 2016

7 March 2016

Application lodged.

Council's

Environmental

Waste

8 March 2016	Comments received. Council's Tree and Landscape Management Officer's comments received.
16 March to 6 April 2016	Application advertised.
17 March 2016	Council's Development Engineer's comments received.
19 March 2016	Council's Heritage Advisor's comments received.
29 March 2016	Initial Council Traffic Engineer comments received.
30 March 2016	Endeavour Energy response received.
6 April 2016	Roads and Maritime Services NSW comments received.
27 April 2016	JRPP initial briefing held.
10 June 2016	Amended architectural plans submitted by applicant.
25 July 2016	Sydney Trains comments provided.
1 August 2016	Applicant advised to withdraw the application.
31 August 2016	Amended architectural plans submitted.
17 November 2016	Amended Traffic Engineer's comments provided.
18 November 2016	Amended draft conditions provided to applicants.

SECTION 96 ASSESSMENT

SITE & SURROUNDS



Figure 2 : Site Map- Subject site highlighted in blue boundary line to which the Section 96(2) application applies.

The subject site is a large irregular trapezium with a frontage of approximately 114.77m to East Street and has a site area of approximately 5345.34m². The subject site is relatively flat with a slight fall from the west to the east. To the rear of the site are Granville Station and the railway corridor which incorporates an elevated platform which appears as a concrete wall along the sites rear boundary.

The existing buildings on the southern side of East Street in the subject site consist of industrial buildings, both single and two storeys, some of which are also used as office premises. The buildings within the consolidated site have been demolished.

To the northern side of East Street are single and two storey buildings, some dwellings and others commercial buildings.

There are two heritage listed items – Local significance, namely 19 East Street (item No.1106) a single storey residence and 21-23 East Street (item No.1107), semi- detached dwellings to the northern side of East Street.



Figure 3 – Photograph of eastern end of development site from East Street.

The subject site and its immediate surroundings are zoned B4 Mixed Use.

There is an existing electrical easement between Lots 1 DP 1221433 and DP 1221433 (10-32 and 38 East Street respectively).

THE PROPOSAL

Consent is sought to modify Development Consent DA/738/2014, pursuant to Section 96(2) of the environmental Planning and Assessment Act 1979 to the approved demolition, tree removal and construction of a staged mixed use development complex containing three buildings with 6 commercial tenancies and 463 residential units, over basement car parking as per the amended plans submitted. The determination was for a staged construction. The modifications are proposed to the Staged construction consent relating to Blocks A and B only and include the following:

1. *Consolidation of the basement levels below buildings on Blocks A and B;*
2. *Reconfiguration of the ground level commercial space resulting in a minor reduction of 72m² of commercial floor space;*
3. *Inclusion of a substation on the ground level of building on Block A ;*
4. *Deletion of car park ramp at rear of building in Block B resulting in increased landscaping area;*
5. *Retention and reallocation of 491 approved car parking spaces ;and*
6. *Additional 68 storage spaces within basement.*

The works have not been completed.

The proposal initially sought modification of the following;

1. Consolidation of the basement levels below buildings on Blocks A and B;
2. Reconfiguration of the ground level commercial space resulting in a minor reduction of 29m² of commercial floor space;
3. Inclusion of a substation on the ground level of building on Block A ;
4. Deletion of car park ramp at rear of building in Block B resulting in increased landscaping area;
5. Increase of car parking spaces for Block A and B from 491 to 542;
6. Reallocation of car parking spaces ;and
7. Additional 68 storage spaces within basement.

On the basis of the above request it was considered a Section 96(2) modification application and notified as such.

PERMISSIBILITY

Parramatta Local Environmental Plan 2011

The proposed modifications are to an approved mixed use development. The site is zoned B4 Mixed Use under Parramatta Local Environmental Plan 2011. The proposed works are permissible with consent.

REFERRALS

Internal Development Engineer

The modifications were referred to Council's Development engineer and no additional issues were raised in respect to the modification sought.

Landscape

The modifications were referred to Council's Landscape and Tree Management Officer and no additional issues were raised in respect to the modification sought.

Traffic Engineer

The modifications were referred to Council's Traffic engineer and no additional issues were raised in respect to the modification sought. Amended conditions of consent have been provided which essentially relate to consolidation of conditions relevant to the Stages 1 and 2 of the approved development and compliance with relevant Australian standards.

Heritage

The modifications were referred to Council's Heritage Advisor and no additional issues were raised in respect to the modification sought.

External Referrals

Transport NSW

The modifications were referred to Transport NSW (Roads and Maritime Services) and no additional issues were raised in respect to the modification sought.

Sydney Trains

The modifications were referred to Sydney Trains and no additional issues were raised in respect to the modification sought.

PUBLIC CONSULTATION

In accordance with Appendix 5 of DCP 2011, owners and occupiers of surrounding properties were given notice of the application for a 21 day period between 16 March to 6 April 2016. In response no submissions were received.

Amended Plan	Yes
Summary of amendments (if applicable)	
Architectural plans amended	Applicant submitted amended car parking spaces slightly reducing the number.
Architectural plans amended	As per Council request retained the approved car parking spaces.

In accordance with clause 5.5.9 the application did not require re-notification as the amended application is considered to be substantially the same development and does not result in a greater environmental impact.

SECTION 96 MATTERS OF CONSIDERATION

Has the consent lapsed? No

Section 96(2) Modification

Substantially the same development

The proposed development to be modified is considered to be substantially the same development as that to which the original development consent relates being a mixed use development.

Consultation with Minister, public authority or approval body

Consultation *has* been carried out with the relevant Minister, public authority or approval body (within the meaning of Division 5) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body.

Consultations were undertaken with Sydney Trains, Transport NSW (RMS) in relation to the proposed development and no objections were raised.

Notification & Submissions

The application has been notified in accordance with Appendix 5 of DCP 2011. No submissions were received.

Threatened Species

The modification does not relate to development consent referred to in section 79B (3), or in respect of which a biobanking statement has been issued under Part 7A of the Threatened Species Conservation Act 1995.

Section 79C Assessment

The proposed modifications have been assessed in accordance with the matters for consideration under Section 79C of the EP&A Act, 1979.

SEPP Infrastructure

The proposed modifications have been assessed by Transport NSW (RMS) and Sydney Trains in accordance with the requirements of SEPP Infrastructure. As discussed previously in the referral section of this report no additional concerns were raised.

Local Environmental Plan 2011

There is a reduction in the approved FSR due to the reduction of approximately 75m² of commercial space to accommodate a substation. However there are no variations to the approved height.

Development Control Plan 2011

1. Consolidation of the basement levels below buildings on Blocks A and B;

Comment

The basement levels were approved separately for Block A and Block B in the original staged approval. The proposed modifications combining the basement levels beneath Blocks A and B now allows for more landscaping by 25m² and reducing the access points which are acceptable. This would now form part of a single construction stage.

2. Reconfiguration of the ground level commercial space resulting in a minor reduction of 72m² of commercial floor space;

Comment

The reduction in the commercial space to the ground level of Block A is acceptable as the amenity within the proposed commercial space is maintained and is unlikely to have an adverse impact.

3. Inclusion of a substation on the ground level of building on Block A;

Comment

The addition of the substation is acceptable since it is a requirement from the energy provider. The design integrates well with the street elevation while ensuring street activation and passive surveillance is maintained.

4. Deletion of car park ramp at rear of building in Block B resulting in increased landscaping area;

Comment

The deletion of the car park ramp to the rear of Block B is acceptable as it enables an increase in landscaping which provides better amenity to the residential units to the rear.

5. Retention and reallocation of 491 approved car parking spaces ;and

Comment

Council's Traffic Engineer has reviewed the proposed modifications and concluded that it is acceptable with amended conditions. An additional condition namely 169 A has been included in the modified consent.

The condition reads as follows;

"Prior to the issue of the occupation certificate, convex mirrors are to be installed within the ramp access for basement levels 1-5 (one near the entry driveway & one at the bottom of the ramp access) with its height and location adjusted to allow an exiting driver a full view of the driveway in order to see if another vehicle is coming through.

Reason: To ensure safety of drivers."

The additional condition is to ensure the safety of drivers entering and exiting the premises. It is noted that the associated basement car parking approved for Buildings A and B has been retained in terms of the original approval of 491 car parking spaces.

6. Additional 68 storage spaces within basement.

Comment

The additional storage spaces complement the already approved storage spaces and are acceptable. However a condition of consent to clearly mark the spaces for storage and allocate them to the residential units within the building is included within the consent (Condition No.181 A).

SECTION 94A

An adjusted Section 94A development contribution is not payable as the value of the modification works do not increase the estimated development cost above \$200,000.

The original approval included a condition of consent which requires the payment of a financial contribution based on a percentage of the cost of development. As the financial contribution has not been paid to date, this condition remains applicable under this application and does not require further amendment.

Conclusion

After consideration of the development against Section 79C and Section 96(2) of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal *is* suitable for the site and *is* in the public interest. Therefore, it is recommended that the application be approved subject to the imposition of appropriate conditions.

Recommendation

Approval

That SWCPP as the consent authority, modify development consent DA/738/2014 pursuant to Section 96(2) of the EP& A Act 1979 for demolition, tree removal and construction of a staged mixed use development complex containing three buildings with 6 commercial tenancies and 463 residential units, over basement carparking to include modifications associated with **Stages 1 and 2 only** comprising;

1. Consolidation of the basement levels below buildings on Blocks A and B;
2. Reconfiguration of the ground level commercial space resulting in a minor reduction of 72m² of commercial floor space;
3. Inclusion of a substation on the ground level of building on Block A ;
4. Deletion of car park ramp at rear of building in Block B resulting in increased landscaping area;
5. Retention and reallocation of approved car parking spaces at 491;and
6. Additional 68 storage spaces within basement.

on land at 10-32 East Street Granville NSW as shown on the plans submitted with the modification of determination, for a period of five (5) years from the date on the **original** Notice of Determination subject to the following modifications in **BOLD**:

General Matters

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

Drawing No.	Prepared By	Dated
Cover sheet DA00 Issue D	Architex	24 August 2015
Cover sheet Job No 2136, Issue C	Architex	31 August 2016
Site Analysis, Drawing No.DA01 Issues A	Architex	3 October 2014
Site and Staging Plan Drawing No.DA02 Issues A	Architex	3 October 2014
Basement Level 5 to Level 1 Drawings number DA03 , DA04, DA05, DA06 and DA07, Issue D	Architex	24 August 2015
Basement Level 4 to Level 1 Drawings number S96-01,02,03 and 04 , Issue B	Architex	8 June 2016
Basement Level 5, S96-01,Issue C	Architex	31 August 2016
Ground Floor Plan, Drawing No.DA08 , Issue D	Architex	24 August 2015
Ground Floor drawing No. S96-06, Issue C	Architex	31 August 2016
Levels 1-3 Plan, Drawing No.DA09 , Issue D	Architex	24 August 2015
Level 4 Plan , Drawing No. DA10, Issue D	Architex	24 August 2015
Levels 5-12 Plan, Drawing No.DA11 , Issue D	Architex	24 August 2015
Levels 13- 14 Plan, Drawing No.DA12 , Issue D	Architex	24 August 2015
Levels 15-16 Plan, Drawing No.DA13 , Issue D	Architex	24 August 2015
Levels 17 -18 Plan, Drawing No.DA14 , Issue D	Architex	24 August 2015

Level 19 Roof terrace plan, Drawing No. DA15 , Issue D	Architex	24 August 2015
Roof plan Drawing No. DA16 , Issue D	Architex	24 August 2015
Typical Unit Layouts Block A Levels 1-3 , Drawing No. DA26 , Issue A	Architex	3 October 2014
Typical Unit Layouts Block A Levels 5-12 and 13-18, Drawing No. DA27 , Issue D	Architex	24 August 2015
Typical Unit Layouts Block B Levels 1-3, Drawing No. DA28 , Issue D	Architex	24 August 2015
Typical Unit Layouts Block B Levels 5-12 and Levels 13-16 , Drawing No. DA29 , Issue D	Architex	24 August 2015
Typical Unit Layouts Block C Levels 1-3 , Drawing No. DA30 , Issue A	Architex	3 October 2014
Site Elevation Plans, Drawing No.DA17, DA18, DA19, DA20, DA 21 , Issue D	Architex	24 August 2015
Site Section Plans , Drawing No. DA22 , Issue D	Architex	24 August 2015
Site Details Drawing No.DA23,DA36 Issue D	Architex	24 August 2015
Driveway Details Drawing No.DA24 , Issue D	Architex	24 August 2015
Shadow diagrams DA33, DA34 and DA35 , Issue A	Architex	24 August 2015
Dedication Plan Ground level DP01, Issue D	Architex	24 August 2015
WSUD/Stormwater Plan, Drawing Nos;		

Statement of Environmental Effects and Clause 4.6	Think Planners	27 October 2014, 28 August 2015 and 25 September 2015
Statement of Environmental Effects and updated information	LJB Planners	26 February 2016 and 31 August 2016.
Acoustic Report	Resonate Acoustics	27 August 2014
Arts Plan	Milne Stonehouse	October 2014
Contamination Report	Douglas Partners	October 2015
Geotech report	Douglas Partners	July 2014
Heritage Report	NBRS+ Partners	October 2014
Traffic Report	Varga Traffic Planning Pty Ltd	13 October 2014
Flood Study	SGC consultants	23 October 2014
Quantity Surveyors Report and addendum	MMDC Consultants	21 October 2014 and 28 August 2015
Social Impact Assessment Report	Think Planners	23 December 2014
Waste Management Plan	Architex	12 November 2014
Finishes Schedule Block A , B and C	Architex	
BASIX Certificate No.577503M_02, 577508_02 and 577512M_02		19 August 2015

Note: In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.

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

Note: The plans and documents highlighted in **BOLD** are only applicable to Stages 1 and 2 (Blocks A and B) as amended by Modification A.

2. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code).
Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.
3. The development shall be carried out in three stages. The breakdown of stages and applicable conditions by stage are as follows:

Stage 1 and Stage 2

- The consolidation of 3 lots being - Lot 1 in DP 521574 (10-12 East Street), Lot 6 in DP 110142 (14-16 East Street) and Lot 7 in DP 110142 (18-20 East Street)
- The consolidation of 6 lots being - Lot Y in DP 164926 (22-24 East Street), Lot W in DP 164926 (slither in between 24 & 26), Lot X in DP 164926 (26 East Street), Lot 1 in DP 156559 (28 East Street), Lot 1 in DP 744571 (30 East Street) and Lot 1 in DP 745652 (32 East Street) into one lot.

Now consolidated as LOT 1 DP 1221433.

- Demolition of all existing structures on the subject site.
- Construction of Block A building along with associated public domain works.
- Construction of Block B building along with associated public domain works.
- Construction and dedication of the eastern portion of the pocket park and creation of the right of carriageway.

Stage 3

- The consolidation of 3 lots being - Lot 1 in DP 1009146 (34-38 East Street), Lot 1 in DP 195784 (40 East Street) and Lot 1 in DP 996285 (42 East Street) into one lot.
- Demolition of all existing structures on the subject site.
- Construction of Block C building along with associated public domain works.
- Construction and dedication of the western portion of the pocket park.

Conditions and Stages:

Stage	Subject site	Applicable condition numbers by stage
1 (Block A) and 2 (Block B)	<p>3 existing lots being -Lot 1 in DP 521574 (10-12 East Street), Lot 6 in DP 110142 (14-16 East Street) and Lot 7 in DP 110142 (18-20 East Street)</p> <p>6 existing lots being Lot Y in DP 164926 (22-24 East Street), Lot W in DP 164926 (slither in between 24 & 26), Lot X in DP 164926 (26 East Street), Lot 1 in DP 156559 (28 East Street), Lot 1 in DP 744571 (30 East Street) and Lot 1 in DP 745652 (32 East Street)</p> <p>Now consolidated as LOT 1 DP 1221433</p>	<p>1 to 89, 94 to 182</p> <p>169A</p>
3 (Block C)	3 existing lots being - Lot 1 in DP 1009146 (34-38 East Street), Lot 1 in DP 195784 (40 East Street) and Lot 1 in DP 996285 (42 East Street).	<p>1 to 84 , 90 to 140 and 142 to 182</p> <p>169A</p>
The conditions in the above table apply independently to each Stage.		

Reason: To allow for the Staged Development of the consent.

Note: The portion highlighted in BOLD are only applicable to Stages 1 and 2 (Blocks A and B) as amended by Modification A.

4. 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. For the avoidance of doubt, each Stage is independent and Stages 1, 2 and 3 are not required to be completed concurrently or contemporaneously.

Reason: To ensure compliance with legislative requirements.

5. 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.

6. Separate construction certificates shall be issued for each Stage as per the approved Site and Staging Plan Drawing No.DA02 Issue A by Architex dated 3 October 2014. For the avoidance of doubt, each Stage is independent and Stages 1 and 2 (combined) and 3 are not required to be completed concurrently or contemporaneously.

Note: Condition No. 51 enables the staging of section 94A development contribution payments on the basis that three separate construction certificates (cc) will be issued. Stage 1 CC (Tower A); Stage 2 CC (Tower B); and Stage 3 CC (Tower C)

Reason: To ensure compliance with the Staging plan.

7. The development shall comply with the conditions of consent provided as Attachment A to the Sydney Trains letter dated 3 July 2015.

Reason: To ensure compliance with Sydney Trains requirements.

8. The development shall comply with the requirements of Attachments 1 and 2 of the Sydney Water letter dated 21 November 2014.

Reason: To comply with Sydney Water requirements.

9. A pre-demolition hazardous building materials survey to identify the location and nature of hazardous building materials shall be undertaken by a practising qualified professional and the report reviewed to the satisfaction of the Principal Certifying Authority prior to issue of Construction Certificate for Stage 1.

Reason: To ensure the site is appropriate the construction.

10. 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 a construction certificate 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 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.

11. 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.

12. 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.

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

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

Reason: To prevent pollution of waterways.

14. The subject site and surrounds are subject to flooding and construction up to the level of 500mm freeboard above the predicted 1% AEP (100ARI) flood levels for each building in the relevant Stage must be flood proofed and designed, constructed and certified by a qualified structural engineer that it is able to withstand inundation and the forces of moving floodwaters including debris. The structural engineer or a registered surveyor must also certify that minimum habitable floor levels and driveway crests are above this level including the 500mm freeboard. All of this certification must be completed to the satisfaction of the Principal Certifying Authority prior to issue of the Occupation Certificate. For the purpose of this Consent Council, accepts the predicted 1% AEP (100ARI) flood levels for each building as follows:

Block	1% AEP Predicted Flood Level m AHD	Required minimum finished floor and driveway crest levels m AHD
A	5.70	6.20
B	6.30	6.80
C	6.70	7.20

Reason: To ensure flood protection.

15. Approval is granted for the demolition of (all buildings and outbuildings) currently on the subject site, subject to compliance with the following:-

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

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

- (b) The developer is to notify owners and occupiers of the properties on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to Parramatta City Council for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to 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 Parramatta City Council 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 5 days of commencement.
- (j) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (k) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (l) A pedestrian and Traffic Management Plan must be 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 Parramatta City Council within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (p) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
- (q) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
- (r) 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.

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.)

- 16. 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 the Construction**

Certificates. Retail/commercial parking spaces located on basement level 5 are to be relocated to basement level 1 or 2 for security reasons.

Stage Description	Residential Spaces	Visitor Spaces	Car Share Spaces	Commercial Spaces	Total Min Res Parking	Retail / Commercial Spaces	
						Min	Max
Block A & B	399	83	2	7	484	7	13
Block C	93	23	1	5	117	5	10
Total	492	106	3	12	514	12	23

Note: Bollards are to be provided in the shared area of disabled spaces, set back 0.8m +/- 0.05m from the open end of the space in compliance with AS2890.6-2009.

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

Note: As amended by Modification A.

- 17. Bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-1993. Details are to be illustrated on plans submitted with the Construction Certificates.**

Stage Description	Residential	Retail/Commercial	Total
Block A & B	198	2	200
Block C	46	2	48
Total	244	4	248

Reason: To comply with Council's parking requirements.

Note: As amended by Modification A.

- 18. The following motorcycle spaces are to be provided on-site for the relevant stage and used accordingly. Block A & B: 18 (Eighteen), Block C: 5 (five). The dimensions and configurations of the motor cycle spaces are to comply with AS 2890.1-2004 and plans referenced in condition 1. Details are to be illustrated on plans submitted with the construction certificates.**

Reason: To comply with Council's requirements.

Note: As amended by Modification A.

19. Delivery activities to the commercial tenancies and garbage collection are to be scheduled on different days and times so that deliveries can be carried out on-site. Otherwise, in order to comply with PDCP 2011 and to prevent delivery vehicles from disrupting on street traffic, it is recommended that two dedicated loading bays with dimensions in accordance with Table 4.1 AS 2890.1-2002 are to be provided for the business/ retail component of the development.
Reason: To prevent delivery vehicles from disrupting on street traffic comply with Parramatta Council DCP 2011.
20. 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 release of the construction certificate.
Reason: To comply with Council's parking requirements.
21. Combined entry and exit driveways are to be provided for each Block A, B and C. Each driveway is to be minimum 6m wide and to be marked on the pavement with directional arrows and used accordingly.
Reason: To comply with Council's parking requirements and Australian Standards.
22. The width of the access ramp driveway (5.5m wide) to basement levels 1-5 (Blocks A, B and C) is to be provided and to be marked on the pavement with directional arrows. The access ramp is to be line marked to delineate the centre of the access ramp for two-way traffic movements.
Reason: To comply with Council's parking requirements and Australian Standards.
23. Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the basement car parking areas (basement levels 1-5) not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate.
Reason: To ensure appropriate vehicular manoeuvring is provided
24. A splay extending 2m from the driveway edges along the front boundary and 2.5m from the boundary along the driveways in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site from East Street. This shall be illustrated on plans submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials.
Reason: To comply with Australian Standards and ensure pedestrian safety.
25. The kerb and gutter in front of the site shall be reconstructed in accordance with Council's design standard (DS1) to the full length of the subject site. The

finish levels of the kerb shall be designed to achieve consistent cross falls at no greater than 2.5% on the footpath between the kerb and property boundary.

Prior to the issuing of Construction Certificate, the applicant shall submit for Council approval the concept designs of all of this work to demonstrate that they are designed and integrated with the design treatment within the property. This design is to be prepared by the applicant to Council's reasonable requirements and specifications and is to address alignments, levels, drainage, paving and surface treatments, street trees, street furniture, awnings, utilities, kerb ramps, vehicle footpath crossings, pedestrian safety, access etc.

Reason: To ensure the surrounds of the site adequately support and present the development.

26. All the trees in the front setback areas shall be no less than **100 litre** container size. All the shrubs in the front setbacks shall be no less than **25 litres**, while the groundcovers and grasses shall be no less than **200mm** pot sizes. The planting beds 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 and submitted prior to the issue of construction certificate.

Reason: To ensure the appropriate streetscape is maintained.

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

Reason: To ensure the creation of functional gardens.

28. Prior to issue of a Construction Certificate for each Stage the recommendations of the Acid Sulphate Soil Management Plan prepared by Douglas Partners are required to be implemented to the satisfaction of the PCA and a copy forwarded to Council.

Reason: To ensure that the subject site is appropriately remediated.

29. Prior to the issue of a construction certificate for each Stage written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Parramatta City Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:

- (a) Preliminary Site Investigation Report No. 73992.01 Rev 1, dated October 2015, prepared by Douglas Partners.

Reason: To ensure the site is suitable for residential use.

30. Any contamination material to be removed from each subject site shall be disposed of to an EPA licensed landfill. This shall be completed prior to issue of the Construction Certificate for each subject site.
Reason: To ensure the site is suitable for residential use.
31. 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 for each subject site.
Reason: To ensure that the land is suitable for its proposed sensitive use and poses no risk to the environment and human health.
32. The applicant is to engage an NSW EPA accredited site auditor to undertake an independent assessment of the site investigation (remediation) or (validation) report to address the requirements of section 47(1) (b) of the Contaminated Land Management Act 1997. A site audit statement is to be submitted to Council and the principal certifying authority on the completion of remediation works for each subject site.
Reason: To ensure the contamination assessment report has adhered to appropriate standards, procedures and guidelines.
33. A sign displaying the contact details of the remediation shall be displayed on each of the subject site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.
Reason: To provide contact details for council inspectors and for the public to report any incidents.
34. Any new information which arises 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.
35. Groundwater shall be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant NSW EPA water quality standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.
Other options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

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

36. All remediation works on each subject site 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.

37. Prior to the issue of a Construction 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.

38. Electricity provision within the subject site is to be designed so that in the future the electrical connection from this site can 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 a Construction Certificate. Documentary evidence to the satisfaction of the Certifying Authority is to accompany the application for a Construction Certificate confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.

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

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

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

39. Prior to the issue of the Construction Certificate for each Stage, a set of detailed **Public Domain Construction Plans** and **Landscape Construction Plan** must be submitted and approved by Council for all the works within the public domain at each stage of the development, which consist of the following areas:

- All the frontages of the subject site between the gutter and building line, including footpath, drainage, forecourt, and front setback areas;

- The public pocket park over Block B & C (only applicable to Stages 2 & 3).

The public domain construction documentation and specifications shall be prepared in accordance with the following:

- The latest Parramatta City Council Public Domain Guidelines and paving strategy for Granville Town Centre;
- The approved site and ground floor plans; and
- All the listed conditions in this consent.

Reason: To ensure the approved works are consistent and required amendments are addressed in accordance with Council's Policy.

40. The proposed landscape works in the pocket 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 revised design of the pocket park including details of the paving treatment shall be submitted to Council for approval prior to the issue of CC.

Reason: To improve accessibility in the public domain and comply with AS 1428.1

41. **Each portion of the pocket park to be dedicated to Council at Stages (A, B combined) and C in accordance with the approved plan at Condition 1 shall be constructed according to finish levels showing in the approved architectural plans and landscape plans to ensure a levelled surface across the entire pocket park. Localised adjustment of levels to suit building entries is not permitted in the dedicated area. Set out of the pavers shall be compatible with the portion constructed at earlier stage. No localised adjustment of levels to suit building entries shall occur in the pocket park. Each portion of the pocket park within Stages (A and B combined) and C are independent and not required to be completed concurrently or contemporaneously.**

Reason: To improve accessibility in the public domain and comply with AS 1428.1

Note: As amended by Modification A.

42. The latest Granville Town Centre Paving standards shall be applied on the footpath upgrades in East Street to the full length of the subject site. This includes the public footpath, and the dedicated pedestrian through-site link. The footpath is to be fully paved with a mix of granite flagstone and asphalt, or similar, subject to Council's advice.

Any works in the public land from the property boundary to the kerb shall be constructed as per Council's advice and specification. Planting beds or non-standard paving treatment shall not be constructed in the public land without Council's approval.

Reason: To improve accessibility in the public domain and comply with AS 1428.1

43. The kerb and gutter in front of the subject site shall be reconstructed in accordance with Council's design standard (DS1) to the full length of the subject site. The finish levels of the kerb shall be designed to achieve consistent cross falls at no greater than 2.5% on the footpath between the kerb and property boundary.

Reason: To improve accessibility in the public domain and comply with AS 1428.1

44. TGSIs (Tactile Indicators) must be used on the public footpath complied with the AS 1428.1 and the requirements in the Public Domain Guidelines. The TGSIs must be installed in the following locations:

- Three(3) driveway crossings outside Blocks A, B & C;

Reason: To improve accessibility in the public domain and comply with AS 1428.1

45. Prior to the issuing of the Construction Certificate for each Stage details are to be submitted to the Principle Certifying Authority that the footings and slabs of each Stage 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.

46. Eighteen (18) new street trees at approx. spacing of 8m shall be planted for the entire proposal in accordance with the latest street tree set out and details for Granville Town Centre that is to be provided by Council prior to the issue of Construction Certificate. Six (6) street trees shall be planted in each relevant Stage.

Reason: To ensure street trees are planted in appropriate locations.

47. The six (6) rain gardens in the front setback of the buildings shown in the Landscape Plan & Plant Schedule (dated 26 August 2015 and prepared by Jane Britt Design) are **inconsistent with** the final Architectural Plans and Stormwater Drainage Plans. Amended plans for each Stage shall be approved by the Principal Certifying Authority prior to issue of construction certificate for that relevant Stage.

All the raised garden beds and walls shall be removed or lowered to ensure maximum landscape features contributing to the streetscape. The walls along the property boundary shall be **no greater than 300mm** in height.

Reason: To ensure the development is in compliance with approved plans.

48. All the trees in the front setback areas shall be no less than **100 litre** container size. All the shrubs in the front setbacks shall be no less than **25 litres**, while the groundcovers and grasses shall be no less than **200mm** pot sizes.

The planting beds shall have no less than **1000mm** 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.

Reason: To ensure appropriate amenities are provided.

49. 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.

Note: 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.

50. The Construction Certificate for each Stage 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.

51. A monetary contribution comprising **\$1,028,380.69** is payable to Parramatta City Council pursuant to Section 94A of the Environmental Planning and Assessment Act, 1979 and the Parramatta Section 94A Development Contributions Plan (Amendment No. 4). Payment must be by EFTPOS, bank cheque or credit card only. The contributions are to be paid to Council as follows:

- **\$455,350.48** is to be paid to Council prior to the issue of a **Construction Certificate** for Stage 1 (Tower A).
- **\$352,375.06** is to be paid to Council prior to the issue of a **Construction Certificate** for Stage 2 (Tower B).
- **\$220,655.15** is to be paid to Council prior to the issue of a **Construction Certificate** for Stage 3 (Tower C).

The contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. Indexation will be applied on the outstanding balance until the final payment is made.

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.

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

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

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

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

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

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

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

54. 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 for each Stage. 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/738/2014;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

Bonds shall be provided as follows:

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.

55. Service ducts, plumbing installations and plant servicing the development must be concealed within the building to keep external walls free from service installations. This shall include illuminated ventilation for all kitchens. Details are to be included within the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

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

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

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

Reason: To protect the visual amenity of the area.

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

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

Reason: To comply with the requirements of SEPP 65.

58. Plans submitted with the construction certificate must show that 10% of dwellings at each stage are accessible and 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 appropriate designed.

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

Reason: To ensure satisfactory stormwater disposal.

60. To minimise the impact of noise from the adjoining major road or rail corridor on the occupants of the building it shall be acoustically designed and constructed to meet the requirements of AS3671-1989 (Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction), AS 2107-2000 (Recommended design sound levels and Reverberation times in Building interiors), the NSW Environment Protection Authority's Environmental Criteria for Road Traffic Noise and the Environmental Noise Control Manual (Sleep Disturbance).
A report from an appropriately qualified person that these acoustic and vibration design requirements will be met shall be provided to the satisfaction of the PCA prior to the issue of a Construction Certificate.
Reason: To ensure a suitable level of residential amenity not affected by excessive noise and vibration from surrounding activities.
61. The recommendations outlined in the acoustic report prepared by Resonate Acoustics dated 27 August 2014 shall be incorporated into the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.
Reason: To ensure a suitable level of residential amenity.
62. 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 the construction certificate to the satisfaction of the Certifying Authority.
Reason: To have a minimal impact on the neighbouring property.
63. Sanitary facilities including showers must be provided within the development and made accessible without charge to cyclists who work in each of the buildings. Details must be provided with the plans and specifications accompanying the application for a Construction Certificate.
Reason: To promote and provide facilities for alternative forms of transport.
64. 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. Details of the receptacles must be included within the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.
Reason: To ensure that adequate provision is made for the disposal of cigarette butts to prevent littering of the public domain.
65. All outdoor lighting must comply with the relevant provisions of AS/NZS 158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.
Details demonstrating compliance with these requirements must accompany the Construction Certificate application and be to the satisfaction of the Certifying Authority.
Reason: To provide high quality external lighting for security without adverse affects on public amenity from excessive illumination levels.

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

Reason: To minimise impact on adjoining properties.

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

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

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.

68. 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.

69. The basement stormwater pump-out system for the relevant Stage , must be designed and constructed to include the following:

- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
- (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - (i) The permissible site discharge (PSD) rate; or
 - (ii) The rate of inflow for the one hour, 5 year ARI storm event.
- (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- (d) A 100 mm freeboard to all parking spaces.
- (e) Submission of full hydraulic details and pump manufacturers specifications.
- (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

Plans and design calculations along with certification from the designer indicating that the design complies with the above requirements are to be

submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate.

Reason: To ensure satisfactory storm water disposal.

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

Reason: To ensure satisfactory storm water disposal.

71. The building for any relevant Stage must be designed and certified by a suitably qualified practicing engineer to ensure the building does not fail due to flooding. A Flood Evacuation & Management Plan must also be prepared by a suitably qualified professional.

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

Reason: To ensure the structure can withstand flooding events.

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

Reason: To ensure the flood warning system is installed.

73. 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 the application for a Construction Certificate. A copy of this documentation must be provided to Council for record purposes. All recommendations made by the qualified practising structural engineer must be complied with.

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

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

A Vehicle Crossing application must be submitted to Council together with the appropriate fee as outlined in Council's adopted Fees and Charges prior to any work commencing.

Reason: To ensure appropriate vehicular access is provided.

75. All mechanical exhaust ventilation from the basement car park for any relevant Stage is to be ventilated away from the property boundaries of the adjoining

dwellings, and in accordance with the provisions of AS1668.1 - 1998 – 'The use of ventilation and air conditioning in buildings' – 'Fire and smoke control in multi-compartmented buildings'. Details showing compliance are to accompany an application for a Construction Certificate.

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

76. Where a security roller shutter or boom gate prevents access to visitor car parking, 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 an application for a Construction Certificate to the satisfaction of the Certifying Authority. If an intercom or security access card to the basement level car park is installed, it is to be provided at the centre of the driveway (not attached on the wall) in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.

Reason: To ensure visitor car parking is accessible.

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

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

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

Reason: To protect Council's infrastructure.

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

Reason: To ensure appropriate drainage.

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

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

81. Column locations are to be installed in accordance with Clause 5 and Figures 5.1 and 5.2 of AS 2890.1-2004.

Reason: To comply with Australian Standards.

82. Traffic facilities to be installed, such as; wheel stops, bollards, kerbs, signposting, pavement markings, lighting and speed humps, shall comply with AS 2890.1-2004.

Reason: To comply with Australian Standards.

83. The minimum available headroom clearance to be signposted at all entrances is to be 2.2m (for cars and light vans including all travel paths to and from parking spaces) and 2.5m (for parking spaces for people with disabilities) measured to the lowest projection of the roof (fire sprinkler, lighting, sign, and ventilation), according to AS 2890.1-2004 and 2890.6-2009.

Reason: To comply with Australian Standards.

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

Reason: To ensure the creation of functional gardens.

85. Based on the RL for Block A indicated on the amended driveway details (Dwg S96-06 - Issue B - dated 08/06/2016), the gradient across the footpath (5%) is to be modified to 1:40 (2.5%) maximum in accordance with Clause 3.3(d) of AS 2890.1-2004. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards.

Note: As amended by Modification A.

86. Based on the RL for Block B indicated on the amended driveway details (Dwg S96-06 - Issue B - dated 08/06/2016), the gradient across the footpath (5.66%) is to be modified to 1:40 (2.5%) maximum in accordance with Clause 3.3(d) of AS 2890.1-2004. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards.

Note: As amended by Modification A.

87. Based on the RL for Block B indicated on the amended driveway details (Dwg D424 – Issue D – dated 24/08/2015), the gradient across the footpath (5.198%) is to be modified to 1:40 (2.5%) maximum in accordance with Clause 3.3(d) of AS 2890.1-2004. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards.

88. Access to the bicycle spaces adjacent to the car share space (V1) in basement level 1 (Block B) is to be widened to 1.5m to provide adequate access into and out of the bicycle spaces. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards and ensure appropriate manoeuvring is provided.

89. Access to the storage spaces between a disabled parking space and resident parking spaces (Block A – S37 Basement 2 – Dwg S96-04 – Issue B – 08/06/16; S37 Basement 3 – Dwg S96-03 – Issue B – 08/06/16; S37 Basement 4 – Dwg S96-02 – Issue B – 08/06/16; S13 Basement 5 – Dwg S96-01 – Issue C – 31/08/16) is to be widened to 1.2m. Access to this storage spaces is also obstructed by a column adjacent to a disabled parking space. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards and ensure appropriate manoeuvring is provided.

Note: As amended by Modification A.

90. Access to the storage spaces adjacent to parking space R135 (Block B – Basement level 2) is to be widened to 1.2m; and adjacent to parking space R126 (Block B – Basement level 2) is to be widened to 1.5m. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards and ensure appropriate manoeuvring is provided.

91. Access to the storage spaces adjacent to parking spaces R6 and R7 (Block B – Basement level 5) is to be widened to 1.2m. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards and ensure appropriate manoeuvring is provided.

92. Parking space C5 on the ground floor (Block C) adjacent to the residents bin room is to be relocated due to access problem. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards.

93. The number of bicycle spaces to be provided in the basement level 2 (Block C) near lifts 7 and 8 are to be provided and identified accordingly.

Reason: To comply with Council's parking requirements.

94. Stacked parking spaces R1 - R4 in Block C – basement level 5 are to be marked for staff parking only. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards.

95. Stacked parking spaces C1 - C4 in Block C – basement level 5 are to be marked for staff parking only. Details are to be provided with the application for a Construction Certificate.

Reason: To comply with Australian Standards.

96. All individual parcels of land holding a separate title within each respective subject site/Stage only must be consolidated into one lot. A plan of consolidation must be registered with the Land and Property Information Division of the Department of Lands, prior to a Construction Certificate being issued for the corresponding relevant Stage.

Reason: To comply with the Conveyancing Act 1919.

Prior to Work Commencing

97. 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.

98. The subject site must be enclosed by a 1.8m high security fence erected wholly within the confines of the subject 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.

99. A sign must be erected in a prominent position on any subject 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.

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

Reason: To ensure adequate toilet facilities are provided.

101. 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.

102. 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 subject 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.

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

- (a) Construction Management Plan for the subject 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 subject 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 subject site for all construction vehicles, plant and deliveries,
 - (vi) Material, plant and spoil bin storage areas within the subject 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 subject 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 subject site:
 - (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
 - (ii) Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.
- (d) Where applicable, the plan must address the following:
 - (i) Evidence of RTA concurrence where construction access is provided directly or within 20 m of an Arterial Road,
 - (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
 - (iii) Minimising construction related traffic movements during school peak periods,

The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.

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

104. 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.

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

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

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

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

Reason: Management of records.

106. Prior to the commencement of any excavation works on the subject 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 C1 of AS 2870 - 1996.

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

107. Details of the proposed 450mm nom. diameter reinforced concrete pipe-work pits and connections within East Street for the subject site shall be submitted for Council's City Works Unit approval prior to commencement of any work.

Reason: To ensure adequate stormwater infrastructure is provided.

108. 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 subject 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.

109. Prior to commencement of works and during construction works, the subject site and any road verge immediately in front of the subject 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 subject site;
- (c) all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the subject site on a fortnightly basis;
- (d) the subject 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.

110. 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 relevant Stage 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 relevant Stage 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.

111. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the subject site are to occur entirely within the property boundaries of that Stage. 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 subject site. 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.

112. 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.

6.1

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 Councils 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.

During Work

113. 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 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.

114. 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 subject 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.

115. A range of inspections will be carried out by Council staff during the construction phase. The applicant must contact Council's Inspection Officer (or Public Domain Officer) for each inspection listed below. At least **48 hour** notice must be given for all inspections.

The required inspections include the followings:

- Commencement of public domain works including tree protection measures installed and set out of tree pits;
- Excavated tree pits with required root barrier (or soil cells) and sub-drainage installed as specified. Procured soil media specifications and docket receipts to be signed at this inspection;
- Installation of the required underground conduit and completion of subgrade preparation for pavements and prior to commencement of concrete slab installation;
- Trees delivered to the subject site and prior to planting. Trees are to be installed within 24 hours of delivery;
- Completion of concrete slabs and set out/location of furniture installation;
- Completion of unit paving and furniture installation. Manufacturer's warranty and maintenance information for all proprietary products shall be provided to Council's Inspection Officer ; and
- Completion of paving sealant application and tactile indication installation as per Council's specification.

The inspection regime for the dedicated pocket park will be advised at the approval of the Public Domain Plans and landscape plans for that relevant Stage.

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

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

Reason: To ensure compliance with this consent.

117. 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.

118. 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.

119. 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.

120. 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.

121. 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.

122. A survey certificate for that relevant Stage is to be submitted to the Principal certifying Authority at footing and/or formwork stage. The certificate must

indicate the location of the building in relation to all boundaries, and must confirm the floor level is consistent with that approved under this consent prior to any further work proceeding on the building.

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

123. 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 on the subject site must ensure sediment is not tracked out from the subject site.

Reason: To ensure no adverse impacts on neighbouring properties.

124. 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 on the subject site.

Reason: To protect public safety.

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

Reason: To provide pedestrian passage.

126. If appropriate, standard Kerb Ramps 1500mm wide are to be constructed at intersections in accordance with Council Plan No. DS4. Details must be submitted to and be approved by Council prior to construction of other works along the frontage. All costs must be borne by the applicant.

Reason: To provide adequate access.

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

Reason: To ensure appropriate car parking.

128. 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

129. 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.

130. 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.

131. 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.

132. 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).

133. 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.

134. Trees to be removed are:

Tree No.	Species	Common Name	Location
1x	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Within No. 42 East street boundaries

Reason: To facilitate development.

135. 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.

136. 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.

137. A noise management plan must be submitted to Council for approval prior to any work commencing and complied with during any construction works. The

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

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

- (a) Confirmation of the level of community engagement that has is and will be undertaken with the Building Managers/occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (b) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties during the main stages of work at neighbouring noise sensitive
- (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.

138. Any fill material imported to the subject 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.

Prior to the issue of an Occupation Certificate

139. Separate occupation certificates shall be issued for each Stage. For the avoidance of doubt, each Stage is independent and Stages 1, 2 and 3 are not required to be completed concurrently or contemporaneously.

Reason: To ensure compliance with legislative requirements.

140. The pocket park depicted in the submitted architectural drawing titled 'Dedication Plan Ground Level DP01' - Issue D, prepared by Architex, dated 24 August 2015 and received by Council on 24 September 2015 shall be dedicated to Council at no cost as a public place. The right of carriage way also

depicted in the Dedication plan shall be created and embellished at no cost to the Council. For the avoidance of doubt, the pocket park and right of carriage way will be dedicated by each relevant Stage independently and dedication is not required to be completed concurrently or contemporaneously with any other Stages. This is to be reflected appropriately in the title arrangements, which shall incorporate the following: -

- i. A temporary fenced communal open space for the occupants of Blocks B and C is to be created on the southern side of the pocket park. This open space will not be accessible by the public until (ii) below occurs.
- ii. Upon construction of a new pedestrian bridge or other link to the railway line, which can be accessed directly by the right of carriage way, this right of carriage way shall provide for full public access without restrictions by removing the fencing.
- iii. The pocket park and right of carriage way area is to be formed as one pedestrian link connecting East Street and the railway corridor. A Stratum Plan applicable to each Stage as illustrated in the dedication plan DP-01 issue D shall be prepared clearly indicating the delineation of the pocket park (excluding the existing electrical easement) and the right of carriageway for future pedestrians and indicated on the final linen plans submitted for subdivision.

Note: The right of carriage way shall be subject to Council requirements.

Reason: To provide amenity.

141. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.

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

142. Prior to issue of an Occupation Certificate for a relevant Stage a subdivision plan to create a stratum lot for the pocket garden and the right of carriageway for dedication to Council, as detailed in architectural drawing No DP01, Revision D dated 24 August 2015 by Architex shall be registered with NSW Land and Property Information. If required, an easement of mutual support for the pocket park and private basement car park shall also be created and registered.

Reason: To ensure dedication of pocket park to Council.

143. A Positive Covenant and Restriction on the Use of Land under Section 88E or 88B of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the right of carriage as shown on the Dedication Plan Ground Level Plan DP01, Revision D dated 28 August 2015 by Architex on the lot at Stage 2(Block B) only.

A covenant shall also be registered over the proposed right of carriageway, which will require fences and any other structures located within the proposed

right of carriageway to be removed by the owner as and when required by Council.

Reason: To ensure dedication of right of carriage way to Council.

144. Prior to the issue of the Occupation Certificate for a relevant Stage, convex mirrors are to be installed within the ramp access for basement levels 1-5 (one near the entry driveway & one at the bottom of the ramp access) with its height and location adjusted to allow an exiting driver a full view of the driveway in order to see if another vehicle is coming through.

Reason: To ensure safety of drivers.

145. Eighteen (18) new street trees at approx. spacing of 8m shall be planted for the entire proposal. Six (6) street trees shall be planted for each stage in accordance with the latest street tree set out and details for Granville Town Centre as provided by Council prior to the issue of Occupation Certificate for that relevant stage.

The required street tree species, quantities and supply stocks for each subject site are:

Street Name	Botanical Name	Common name	Pot Size	Qty
East Street	<i>Waterhousia floribunda</i> 'Green Avenue'	Weeping Lilly Pilly	200L	6 for each stage (18 in total).

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 as below table:

Container Size	Height (above container)	Caliper (at 300mm)	Clear Trunk Height
200 litre	3.6 metres	60mm	1.5 metres

Reason: To ensure street trees are planted in appropriate locations.

146. The Arts Plan is to be completed in full (as outlined in the Art in the Public Domain Guidelines) for the subject site and approved by Council prior to issue of Occupation Certificate for a relevant Stage. The amended arts plan shall undertake the following;

- Priority should be given to works in the under crofts, which interact with the street, and are directly available to passers-by.
- Explore potential to create a work visible from passing trains.

- c) Possible exploration of alternative themes, in the connection to early railway history and the nearby convergence of rail tracks.
- d) The proposal offer both daylight and night-time experiences of the works.
- e) On completion of the artwork design stage, the applicant shall submit all additional documentation to Council that details the realisation of the Arts plan through final design concepts, site plan for artworks, construction documentation and project management prior to its implementation.
- f) The arts works shall be completed in full in line with the documentation submitted and the artworks installed to the satisfaction of the Council.

Reason: To ensure compliance with Council's DCP requirements.

147. Prior to the issue of any Occupation Certificate, the developer is to provide evidence that satisfactory arrangements have been made for the relevant Stage 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 subject stage/site.

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.

148. Prior to **any issue** of the Occupation Certificate (including interim OC), the public domain construction works adjacent to the subject site must be completed to Council's satisfaction and a **final approval** shall be obtained from Council's Assets & Urban Design teams.

Council shall issue the **final approval** for the finished public domain works that complied 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.

The **Work-as-Executed Plans** for the subject stage shall be prepared and submitted to Council showing the final-approved public domain works after the final approval, and prior to any issue of the OC.

A **52 weeks** maintenance period is required to be carried out by the applicant for all the works constructed in the public domain.

Reason: To ensure the quality of public domain works is completed to Council's satisfaction

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

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

150. 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 and the relevant Stage 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.

151. 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 that Stage. The numbers are to have a minimum height of 75mm.

Reason: To ensure a visible house number is provided.

152. 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. 577503M_02(Applicable to Stage 1 only), 577508_02(Applicable to Stage 2 only) and 577512M_02(Applicable to Stage 3 only), will be complied with prior to occupation for that relevant Stage.

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

153. Submission of documentation confirming satisfactory arrangements have been made for the provision of electricity services to the relevant stage/site from an approved electrical energy provider prior to the issue of an Occupation Certificate for that relevant Stage.

Reason: To ensure appropriate electricity services are provided.

154. 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 & Stage Number; and
- (b) Site address.

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

An Occupation Certificate for the relevant Stage 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.

155. Design Verification issued by a registered architect is to be provided with the application for a Occupation Certificate verifying that the residential flat development achieves 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.

156. Certification must be provided prior to the issue of an 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.

157. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works for the relevant Stage/site. This report is to ascertain whether the construction works created any structural damage to adjoining buildings and or infrastructure adjacent to the relevant Stage or site.

The report is to be submitted to the PCA prior to the issue of the 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.

158. All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with Council's Standard Plan No. SD004. The reinstatement must be completed prior to the issue of an Occupation Certificate. All costs must be borne by the applicant.

Reason: To provide satisfactory drainage.

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

Reason: To provide pedestrian passage.

160. Works-As-Executed stormwater and landscape plans for the relevant stage/site are to be prepared and 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) Certificate of Compliance from the Landscape Architect certifying that all of the rain gardens and other landscape-related water sensitive urban design installations approved in this Consent have been constructed as designed
- (d) Certificate of Compliance from a qualified drainage / hydraulic engineer certifying that all of the rain gardens, stormwater harvesting system, other water sensitive urban design installations and other stormwater drainage have been constructed generally in accordance with the approved Consent drawings and will work as intended.

The above is to be submitted to the Principal Certifying Authority for approval prior to the issue of an Occupation Certificate and a copy of the documentation approved by the Certifier is to accompany the Occupation Certificate when lodged with Council.

Reason: To ensure works comply with approved plans and function as intended.

161. Prior to the issue of an Occupation Certificate for a relevant Stage a Positive Covenant and Restriction on the Use of Land under Section 88E or 88B of the Conveyancing Act 1919 must be created, burdening the owner of the Stage with the requirement to maintain the rainwater and stormwater management system on the lot including the rainwater harvesting and landscape rain gardens.

The terms of the instruments are to be adapted from 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 may 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 rainwater and stormwater management system.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to Occupation or use of the subject site.

Reason: To ensure maintenance of the stormwater and rainwater management system in perpetuity.

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

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

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

164. A separate application must be made for a subdivision certificate.
Reason: To comply with the requirements of the Environmental Planning and Assessment Act 1979 (as amended).
165. 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 subject site in the early stages of a storm event, together with how they will seek refuge in a peak stormwater event (i.e. first floor of the building etc.). The report shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. A copy of the report shall be attached to the Occupation Certificate when forwarded to Council.
Reason: To make property owners/residents aware of the procedure in the case of flood.
166. Prior to the issue of any Occupation Certificate, an application is required to be obtained from Council for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment. 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 be accompanied by detailed plans showing, grades/levels and specifications that demonstrate compliance with Council's standards, without conflict with all internal finished surface levels. The detailed plan must be submitted to Council's Civil Assets Team for approval prior to commencement of the driveway crossing works. 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 subject site. 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: Pedestrian and Vehicle safety.
167. Proof of completion of the Kerb Ramp must be submitted to the satisfaction of the Council prior to the issue of an Occupation Certificate.
Reason: To provide adequate access.
168. 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 & Stage 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.

An Occupation Certificate for the relevant Stage 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.

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

Reason: To ensure restoration of environmental amenity.

- 169A. Prior to the issue of the occupation certificate, convex mirrors are to be installed within the ramp access for basement levels 1-5 (one near the entry driveway & one at the bottom of the ramp access) with its height and location adjusted to allow an exiting driver a full view of the driveway in order to see if another vehicle is coming through.

Reason: To ensure safety of drivers.

Note: As amended by Modification A.

The Use of the Site

170. A waste storage room is to be provided on the subject site and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) 2011 including:

- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
- (b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
- (c) The walls being cement rendered to a smooth, even surface and coved at all intersections;
- (d) Cold water being provided in the room with the outlet located in a position so that it cannot be damaged and a hose fitted with a nozzle being connected to the outlet.

Reason: To ensure provision of adequate waste storage arrangements.

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

Reason: To ensure provision of adequate waste disposal arrangements.

172. Between collection periods, all waste/recyclable materials generated on subject 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.

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

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

174. 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.

175. 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.

Reason: To minimise noise impact of mechanical equipment.

176. 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.

177. A separate development application is required for the initial use of the retail premises unless the use is permissible under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

Reason: To ensure compliance with legal requirements.

178. The hours of operation of the ground floor retail/commercial premises are restricted to 7am to 7pm daily.

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

179. All landscape works shall be maintained for a minimum period of two (2) years following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

180. The location of roller shutter doors at the two access driveways (one servicing both Blocks A and B, one servicing Block C) on the ground floor are to be located at a distance of at least 6m from the property boundary to comply with Clause 3.3 (b) of AS 2890.1-2004. In accordance with Clause 3.4 of AS 2890.1-2004, at an entry point, the queuing area to be provided between the roller shutter door and the property boundary shall be sufficient to allow free influx of traffic which will not adversely affect traffic or pedestrian flows along East Street.

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 East Street.

Note: As amended by Modification A.

- 181.** If the roller shutter door is installed on the ground floor, as shown on the amended DA plans for Blocks A and C, 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 East Street.

Note: As amended by Modification A.

- 182.** The new storage spaces provided shall be marked as such and allocated to the residential units within the development.

Reason: To ensure the storage areas are appropriately allocated.

Note: As amended by Modification A.

Report prepared by:

Signature:

Date:

<input type="checkbox"/>	All DA fees paid.
<input type="checkbox"/>	Consent of all owners provided.
<input type="checkbox"/>	DA notified in accordance with Council's Notifications DCP.
<input type="checkbox"/>	Acknowledgement letters sent to all persons who lodged submissions.
<input type="checkbox"/>	All issues raised in submissions have been considered in the assessment of the application.
<input type="checkbox"/>	Comments from stakeholders considered in assessment of application.
<input type="checkbox"/>	Relevant matters for consideration (s79C assessment) addressed in report.
<input type="checkbox"/>	Section 94A Contributions recalculated (if required).
<input type="checkbox"/>	Standard conditions of consent and extraordinary conditions or reasons for refusal prepared.
<input type="checkbox"/>	Letters responding to objectors prepared.
<input type="checkbox"/>	DOP Statistics Sheet completed and attached.
<input type="checkbox"/>	Development standard variations and all other Pathway fields have been completed.

Peer Review:

I have read the Section 79C assessment worksheet and endorse the manner in which the development application has been assessed. I concur with the recommendation.

Steven Chong
A/Service Delivery Manager
Development Assessment Services

Signature:

Date:

Peer Review:

I have read the Section 79C assessment worksheet and endorse the manner in which the development application has been assessed. I concur with the recommendation.

Marl Leotta
Manager
Development and Traffic Services Unit

Signature:

Date:

Peer Review & Determination:

I have read the Section 79C assessment worksheet and endorse the manner in which the development application has been assessed. I concur with the recommendation and determine this application under *Delegated Authority PB001 (Approve Development Applications with objections) OR Delegated Authority PB002 (DA with NO submissions) OR Delegated Authority PB003 (Refuse Development Applications)*.

I authorise the Development Assessment Officer whose name appears above to sign all plans and paperwork in relation to this determination.

Sue Weatherley
Director
Outcomes and Development

Signature:

Date:

