

ATTACHMENT 1**CONDITIONS OF CONSENT FOR 2016SYW045 (DA 120/2016)****REVISION 1 - 23.6.16 – AS AGREED WITH APPLICANT****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:

Architectural plans – Bates Smart

Drawing No.	Title	Date
AD.0.00.20 Rev 3	Ground works - demolition plan L00	29.4.16
AD.0.B1.20 Rev 3	Ground works - demolition plan – B01	29.4.16
AD.7.80.10 Rev 2	130 George Street Service	19.5.16
A03.B01_DACM Rev H	Basement plan	3.5.16
A03.000_DACM Rev M	Ground floor plan	27.5.16
A03.001 Rev H	Level 01 mezzanine floor plan	27.5.16
A03.002_DACM Rev H	Level 02 plan	27.5.16
A03.003_DACM Rev H	Level 03 plan	27.5.16
A03.004_DACM Rev H	Level 04 plan	27.5.16
A03.005_DACM Rev I	Level 05 plan	27.5.16
A03.006_DACM Rev H	Typical level plan - Atrium	27.5.16
A03.007_DACM Rev H	Typical level plan – full floor atrium over	27.5.16
A03.011_DACM Rev J	Roof terrace plan	27.5.16
A03.B01_DACM Rev I	Basement plan	27.5.16
A07.001_DACM Rev H	North elevation	27.5.16
A07.002_DACM Rev D	East elevation	27.5.16
A07.003_DACM Rev F	South elevation	27.5.16
A07.004_DACM Rev F	West elevation	27.5.16
A08.001_DACM Rev H	Section AA	27.5.16
A08.002_DACM Rev H	Section BB	27.5.16

Landscape plans – Turf Design Studio

Drawing No.	Title	Date
1603- L-DA-8 Issue C	Tree management plan	31.5.16
1603- L-DA-9 Issue C	Landscape plan - rooftop	31.5.16
1603- L-DA-10 Issue C	Landscape section - rooftop	31.5.16
1603- L-DA-11 Issue C	Landscape elements – ground floor and public domain	31.5.16
1603- L-DA-12 Issue C	Landscape elements – roof top	31.5.16
1603- L-DA-13 Issue C	Planting palette – ground floor and public domain	
1603- L-DA-14 Issue C	Planting palette – rooftop	31.5.16
1603- L-DA-15 Issue C	Typical details – soft works	31.5.16
1603- L-DA-16 Issue C	Landscape screen – ground floor and public	31.5.16

	domain	
1603- L-DA-17 Issue C	Laneway garden retreat	31.5.16

Stratum subdivision plan – Peter William Vandergraff

Drawing No.	Title	Date
I542-DP-002a	Proposed subdivision of Lot 12 DP 1095329- Sheet 1 of 4	24.2.16
I542-DP-002a	Proposed subdivision of Lot 12 DP 1095329- Sheet 2 of 4	24.2.16
I542-DP-002a	Proposed subdivision of Lot 12 DP 1095329- Sheet 3 of 4	24.2.16
I542-DP-002a	Proposed subdivision of Lot 12 DP 1095329- Sheet 4 of 4	24.2.16

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.

- The plans submitted with Construction Certificate shall maintain the schedule of external materials and finishes as nominated on the approved plans, except as amended elsewhere by conditions within this Notice.

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

Reason: To ensure appropriate demolition practices occur

- 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.

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

Reason: To ensure compliance with legislative requirements.

- 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.

7. Following issuing of any operative consent for the site physical commencement must occur in accordance with the requirements of Section 95(4) of the Environmental Planning and Assessment Act within 5 years of the date of the issue of the consent. In this regard should physical commencement not occur by (insert date 5 years from issue of consent) the consent will lapse.

Reason: To provide certainty to the community as to when physical commencement must occur.

8. Trees to be retained are existing trees numbered 2, 3 and 28 to 37 as specified in the Tree Management Plan prepared by Turf Design Studio dwg no. L-DA-7 Issue C dated 31 May 2016. Protection measures for all trees required to be retained are specified in the Arboricultural Impact Appraisal and Method Statement by Naturally Trees dated 24 February 2016.

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

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

Tree No.	Name	Common Name	Name of Street Frontage
4	<i>Platanus x hybrida</i>	Plane Tree	Phillip Street
5	<i>Platanus x hybrida</i>	Plane Tree	Phillip Street

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

10. The following street trees shall be planted within the road reserve:

Qty	Name	Minimum Pot Size	Name of Street Frontage
2x	<i>Flindersia australis</i>	To be determined as part of approved Public Domain Plan	Phillip Street

Note: Species selection, location and size of container are to be determined by Council's Urban Design Team.

Reason: To ensure restoration of environmental amenity.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

Reason: To ensure that the levy is paid.

12. A monetary contribution comprising \$2,858,526.00 is payable to Parramatta City Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta Section 94A Development Contributions

Plan (Amendment No. 4). Payment must be by EFTPOS, bank cheque or credit card only.

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

Parramatta Section 94A Development Contributions Plan (Amendment No. 4) can be viewed on Council's website at:

http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions

Reason: To comply with legislative requirements.

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

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

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

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

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

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

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

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA 310/2015;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

Bond Type	Amount
Hoarding	Class A Hoarding \$5,200 per street frontage Or Class B Hoarding \$10,400 per street frontage
Nature Strip and Roadway	\$20,000
Street Trees	\$8,000

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.

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.

16. 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.

17. An Alignments Plan in accordance with City of Parramatta's Public Domain Guidelines (see section 2.3) and Design Standards is to be submitted for the approval

of Council prior to the issue of the Construction Certificate. The Alignment Plan is to address all street frontages and through-site link and should clearly document levels for footpaths, kerbs, gutters, walls, fences, stairs, ramps, vehicle crossings, awnings and building overhangs, heritage feature, basements and OSD tanks in or contiguous with the public domain.

The Alignment Plan is to also include location and type of all other elements located within the public domain, including but not limited to: trees/tree pits; garden beds; verge planting; pit lids; kerb ramps; vehicular crossings; and lighting/signage poles. Longitudinal, cross and street sections must accompany the Alignments Plan.

Reason: To ensure the public domain is accessible, legible, coordinated and addresses CoP design principles.

18. Public Domain Plan in accordance with City of Parramatta's Public Domain Guidelines (see section 2.4) and Design Standards is to be submitted for the approval of Council prior to the issue of the Construction Certificate. This plan is to comply with the approved Alignment Plan and is to show materials, finishes and planting for all elements in or contiguous with the public domain.

The Public Domain Plan is to include construction plans and details for: paving materials, finishes and detailed layouts; plant species, spacing and pot size; kerb ramps and TGSIs; street furniture layout and models; and other elements as required to meet site-specific design. Note that:

- (a) Phillip Street is programmed for a streetscape upgrade, which will include granite flagstone paving (Adelaide or Austral Black, 600x300x50 & 400x300x50, exfoliated finish). Installation of granite flagstones in the public footpath along Phillip Street frontage should be allowed for. Please contact Council's Urban Design team to coordinate.
- (b) Lighting levels should be designed to P2 category by a qualified Lighting Engineer. Location of poles and wall mounts to be shown in Alignments Plan. Specifications and details for lamps, luminaires, fittings, etc to be included in Public Domain Plan.

Reason: To improve the public domain and confirm the final details of the proposed design.

19. A final Public Art Strategy shall be approved by Council prior to the issue of any Construction Certificate that includes external landscaping works. That final Strategy must be consistent with the document prepared by Virginia Wilson Art lodged with the development application, but amended as follows:

- Provide more detail of site history, and analysis of the site and its relation to the surrounding sites;
- Provide more information about the proposed location of the artworks on the site, and how they might interact with, or be available to the public;
- Detail how the works might help to provide engagement by day and by night; and

- Nominate the proposed budget.
20. The Construction Certificate plans shall document all relevant measures identified within the ESD report by Arup (Issue 1/601893) as required to achieve compliance with 5 star Green Star Office Design and As Built (V3) 5 NABERS energy rating and 4 NABERS water rating.
 21. All outdoor lighting must comply with the relevant provisions of AS/NZS 1158.3: 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 effects on public amenity from excessive illumination levels.

22. Access and services for people with disabilities shall be provided to the 'affected part' of the building in accordance with the requirements of the Access to Premises Standard 2010 and the National Construction Code 2013. Detailed plans, documentation and specification must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority. To this end the plans approved with the Construction Certificate shall also comply with recommendations in the report by Accessible Building Solutions dated 17 February, 2016 (Job No. 216037 Issue A) or as amended to meet the Access to Premises Standard 2010 and the National Construction Code 2013.

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

23. 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 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 separated for storage on site prior to collection. 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.

24. Retaining walls for excavation shall be constructed when cut or fill exceeds 600mm. Where necessary to prevent damage to the adjoining properties all approved retaining walls associated with the approved development are to be constructed up to the construction of the ground floor.

Reason: To prevent damage to the adjoining properties.

25. The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to the issue of any Construction Certificate and works commencing on site.
Reason: To ensure the requirements of Sydney Water have been complied with.
26. Prior to any excavation on or near the subject site the person/s having benefit of this consent are required to contact the NSW Dial Before You Dig Service (NDBYD) on 1100 to 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.
27. All mechanical exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1 and 2 - 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.
28. 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.
29. 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.
30. 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.
31. Foundations adjacent to a drainage easement are to be constructed in accordance with Council's Code "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements – Parramatta City Council Code E-3". The engineering details are to form part of the Construction Certificate documentation.
Reason: To ensure Council's assets are not damaged.
32. Foundations adjacent to the Council's existing drainage pipe, within the site must be protected by creation of easement of width appropriate to the size of pipe ((approval

for the appropriateness of the easement width should be obtained from council's Civil Infrastructure Unit) and by constructing the foundation in accordance with Council's Code, "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements". Details must accompany an application for a Construction Certificate.

33. 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 certificate.

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

34. 162 bicycle spaces/racks and 2 motorcycle parking spaces are to be provided on-site and used accordingly. The dimensions and layout of the bicycle storage/racks are to comply with AS 2890.3 – 2015 and AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

35. A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site from Phillip 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.

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

Reason: To ensure appropriate vehicular manoeuvring is provided

37. The waste storage room 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;
- (e) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Details are to be demonstrated on plans provided for approval with any Construction Certificate.

Reason: To ensure provision of adequate waste storage arrangements

38. During construction of the basement, the full site must be flood-proofed to prevent ingress of floodwaters for at least the 1 in 100 year (1% AEP) event plus 500mm freeboard. This is to be done by provision of continuous perimeter bunding to a level of RL. 8.78m AHD minimum, including crests on temporary accessways and stormwater lines. Construction of the bunding and accessway crests is to be sufficiently durable so as to withstand the forces of floodwaters and construction activity. Details are to be submitted for the approval of the Principal Certifying Authority prior to release of the Construction Certificate.
39. Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property. A de-watering plan is required to be included and submitted to Council for review prior to issue of a Construction Certificate
40. Prior to release of the Construction Certificate the Applicant shall identify a suitable location for 'shelter in place' where occupants may take refuge during a flood greater than the 1% AEP event. Such Area must have a floor level greater than the PMF level of 11 m AHD and be readily accessible to occupants. Prior to issue of an Occupation Certificate the Applicant shall demonstrate to the satisfaction of the PCA the adequate implementation of this requirement.
41. All roof water and surface water is to be connected to an approved drainage system. Details are to be shown on the plans and documentation accompanying the application for a Construction Certificate.
Reason: To ensure satisfactory stormwater disposal.
42. The basement stormwater pump-out system, must be designed and constructed to include the following:
 - (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
 - (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - (i) The permissible site discharge (PSD) rate; or
 - (ii) The rate of inflow for the one hour, 5 year ARI storm event.
 - (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
 - (d) A 100 mm freeboard to all parking spaces.
 - (e) Submission of full hydraulic details and pump manufacturers specifications.
 - (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

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

Reason: To ensure satisfactory storm water disposal.

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

A Flood Evacuation & Management Plan must also be prepared by a suitably qualified professional. This report is to demonstrate how the occupants of the development will egress the site in the early stages of a storm event, together with how they will seek refuge in a peak stormwater event (i.e. first floor of the building etc.). The report shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. A copy of the report shall be attached to the Occupation Certificate when forwarded to Council.

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

44. Full engineering construction details of the stormwater system, including OSD and WSUD structures, pipe networks and calculations as per following points, shall be submitted for the approval of the PCA prior to release of the Construction Certificate for any work on the site.

(a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the following Stormwater Plans approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code.

Stormwater Performance Management Report and Plans, by Enstruct (Revision 03, May 2016)

- (b) A Site Storage Requirement of 470 m³/ha and a Permissible Site Discharge of 80 L/s/ha (when using 3rd edition of UPRCT's handbook) OR

the Site Reference Discharge (Lower Storage), SRDL of 40 l/s/ha, Site Storage Requirement (Lower Storage) SSRL of 212 m³/ha, Site Reference Discharge (Upper Storage), SRDU of 150 l/s/ha, Site Storage Requirement (Total) SSRT of 358 m³/ha (when using the Extended/Flood detention method - 4th edition of UPRCT's handbook).

- (c) Adequate grate(s) to be provided so the OSD/WSUD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.

- (d) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

Reason: To minimise the quantity of storm water run-off from the site, surcharge from the existing drainage system and to manage flooding.

45. WSUD water quality treatment devices generally as shown in the Stormwater Performance Management Report and Plans, by Enstruct (Revision 03, May 2016) must be installed to manage surface runoff water to Phillip Street to satisfy section 3.3.6.1 of Parramatta City Council Development Control Plan 2011. Details of the proposed devices and their location must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

46. The minimum habitable floor levels shall be the Flood Planning Level which is the Council adopted 1% AEP flood level plus 500mm freeboard and which is 8.78m AHD for this site.

All construction below the Probable Maximum Flood Level (PMF) shall be of flood proof construction able to withstand the forces and stresses associated with the velocity and depth of extreme floods, fast flowing floodwaters with floating debris, and flotation and buoyancy. This is to be certified on completion by an appropriately qualified engineer to the satisfaction of the PCA prior to release of the Occupation Certificate. For this development the PMF shall be the Council adopted level of 11m AHD (freeboard not required).

The basement car park including in the adjoining (future) lot shall be reconstructed as follows to prevent ingress of flood waters across the whole car park:

- (a) The driveway access to the car park shall be provided with a crest at the Flood Planning Level (8.78m AHD) or higher and sidewalls and other permanent bunding measures shall be provided to a minimum of the Flood Planning Level to prevent ingress of floodwaters. Such details shall be built into the permanent structure and be non-mechanical, passive and fail-safe.
- (b) The minimum floor level of the egresses from all of the basement staircases at ground level shall be raised to at least the Flood Planning Level and other details such as vents and services shall be similarly elevated and modified in order to prevent ingress of floodwaters into the basement and stairwells. Such details shall be built into the permanent structure and be non-mechanical, passive and fail-safe.
- (c) Above the Flood Planning Level, as far as can be reasonably practically achieved, up to the level of the Probable Maximum Flood, ingress of floodwaters into the staircase and basement shall be prevented with the use of approved flood doors for the stairways, an approved self-operating floodgate, such as 'Flood Break' or equivalent, on the crest of the access driveway and other design measures such as bunding as necessary. These measures shall

be applied to all potential locations for floodwater ingress into the basement car park in both the existing building and the new development.

Design details of all of these measures are to be submitted to Council for the approval of the Manager DTSU and must be approved prior to release of any Construction Certificate.

47. 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.

48. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing numbers DS9 and 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.

49. A final Landscape Plan shall be for approval prior to the issue of a Construction Certificate. It must be consistent with plan by Turf Design Studio dwg no. L-DA-2-17 Issue C dated 31 May 2016 together with any additional criteria required by the Development Consent to the satisfaction of Council addressing the following requirements:

- (a) Construction details 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.
- (b) Retention of trees numbered.
- (c) A proposed planting schedule indicating planting locations, species type (botanic/ common name) mature dimensions, plant numbers and the size of the containers at planting.
- (d) Proposed planting locations and numbers consistent with the proposed Planting Schedule.
- (e) The location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees.
- (f) All landscape plans are to be prepared by a professionally qualified landscape architect or designer.

Reason: To ensure that appropriate landscaping is implemented.

PRIOR TO WORK COMMENCING

50. 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.

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

Reason: To ensure public safety.

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

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

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

Reason: Statutory requirement.

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

Reason: To ensure adequate toilet facilities are provided.

54. Prior to the commencement of any works on 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 Site. A plan view of the entire site and frontage roadways indicating:

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

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

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

The Construction 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.

55. A Pedestrian Management and Safety Plan must be submitted to the satisfaction of the Principal Certifying Authority prior to the commencement of any works on site. It must include details of the:

- a) Proposed ingress and egress of vehicles to and from the construction site
- b) Proposed protection of pedestrians adjacent to the site
- c) Proposed pedestrian management whilst vehicles are entering and leaving the site
- d) Proposed route of construction vehicles to and from the site
- e) Proposed measures to protect workers and pedestrians from overhead hazards.

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

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

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

- (a) An overall construction management program;
- (b) Construction traffic management;
- (c) Construction zones;
- (d) Heritage protection;
- (e) Pedestrian management;
- (f) Hoardings;
- (g) Dust management;
- (h) Hours of work;
- (i) Noise and vibration management measures ;
- (j) Dilapidation reports;
- (k) Identification and disposal of hazardous materials/demolition materials;
- (l) Materials handling, waste management and recycling;
- (m) Disposal of excavated materials; and
- (n) Unexpected archaeological finds
- (o) Specific matters nominated within the consent notice.

57. The Construction Management Plan required by this Notice shall include all necessary measures, as determined by both the project heritage consultant and project engineer, to protect the displayed section of the remnant convict drain, which is to be retained, during construction.

58. 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 site to reduce noise impacts on the occupiers of neighbouring properties to a minimum.
- (e) What plant and equipment is to be used on the site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring properties and other less intrusive technologies available.

Reason: To maintain appropriate amenity to nearby occupants.

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

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

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

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

Reason: Management of records.

60. 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.

61. Prior to the commencement of any excavation works on site the applicant must submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:
- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
 - (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.
 - (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
 - (d) The impact on groundwater levels in relation to the basement structure.
 - (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

Where it is considered there is potential for the excavation to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

- (f) The recommendations resulting from the investigations are to demonstrate the works can be satisfactorily implemented. An implementation program is to be prepared along with a suitable monitoring program (where required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction.

The implementation program is to nominate suitable hold points for the various stages of the works in order verify the design intent before certification can be issued and before proceeding with subsequent stages.

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

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

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

62. Details of any reinforced concrete pipe-work within the drainage easement and public roads shall be submitted for Council's City Works Unit approval prior to commencement of any work.

Reason: To ensure adequate stormwater infrastructure is provided.

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

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

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

64. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

Note: If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

Reason: As prescribed under the Environmental Planning and Assessment Regulation 2000.

65. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs..

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

Reason: Proper management of public land.

66. Upon completion of the work separate Work-As-Executed plan shall be prepared on the approved stormwater plan and submitted to council for record and sign off.
Reason: To ensure that the stormwater work comply with council's requirements.
67. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Council of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters, drainage pits, pipes etc. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of works. Failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs
Reason: To ensure that the applicant bears the cost of all restoration works to Council's property damaged during the course of this development.
68. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.
Reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.
69. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Work Cover NSW and the EPA, and with the provisions of:
(a) Work Health and Safety Act 2011
(b) NSW Protection Of the Environment Operations Act 1997 (NSW) and
(c) NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).
Reason: To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner.
70. Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 and in accordance with DECC the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).
Reason: To prevent pollution of the environment.
71. 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.
72. 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.

In addition to any Environment Protection authority licence requirements, Council requires the following discharge water quality standards be achieved at all times throughout the construction phase of the development:

- pH 6.5-8.5;
- Total Suspended Solids (TSS) 50 mg/l
- Oil and Grease 'Not visible'.

Reason: To prevent pollution of waterways.

73. Erosion and sediment control measures are to be installed in accordance with the publication 'Urban Stormwater: Soils and Construction "The Blue Book" 2004 (4th edition) prior to the commencement of any demolition, excavation or construction works upon the site. These measures are to be maintained throughout the entire works.

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

74. 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.

75. The trees identified for protection within the Arboricultural Impact Appraisal and Method Statement by Naturally Trees dated 24 February 2016 shall be protected prior

to and during the demolition/construction process in accordance with the documents referenced above.

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

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

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

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

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

Reason: To ensure trees are protected during construction.

78. The project heritage consultant shall inspect the site and certify to the PCA that appropriate measures are in place to protect the heritage item.

DURING WORK

79. 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.

80. The project heritage consultant shall inspect the site as necessary to monitor impacts upon the heritage item. Should damage to the item occur all works must cease to allow for consultation with Council. Works shall not recommence until formal approval is granted by Council.

81. 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.

82. 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.

83. 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.

84. 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.

85. 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.

86. 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.

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

Reason:To protect public safety.

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

Reason: To ensure no adverse impacts on neighbouring properties.

89. 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

90. Standard Kerb Ramps are to be constructed in accordance with Council Plan No. DS4. Details must be submitted to and be approved by Council prior to construction. All costs must be borne by the applicant.

Reason: To provide adequate access.

91. A survey certificate is to be submitted to the Principal certifying Authority at footing and/or formwork stage. The certificate must indicate the location of the building in relation to all boundaries, and must confirm the ground and first floor levels 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.

92. The trees identified for protection within the Arboricultural Impact Appraisal and Method Statement by Naturally Trees dated 24 February 2016 shall be protected prior to and during the demolition/construction process in accordance with the documents referenced above.

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

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

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

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

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

Reason: To ensure trees are protected during construction.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

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

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

Reason: To comply with statutory requirements

96. Prior to the issue of the Occupation Certificate, a convex mirror is to be installed within the ramp access (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.

97. Prior to the issue of the Occupation Certificate, the following management plans are to be submitted to Council for approval:

- a) A Travel Plan is to be submitted to Council and will be implemented upon occupation of the building to encourage reduce car share.
- b) A Loading Dock Management Plan (LDMP) which will detail the traffic control devices, vehicle movements and scheduling for the loading dock to minimise conflicts.

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

All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours. All waste storage areas are to be maintained in a clean and tidy condition at all times.

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

99. Adequate ventilation to the waste storage room shall be provided in accordance with the requirements of the Building Code of Australia. Certification that the system functions in accordance with Australian Standard AS 1668 is to be provided to the certifying authority prior to occupation of the premises.

Reason: To ensure provision of adequate waste storage arrangements.

100. A suitably qualified person shall provide certification to the PCA that all requirements to comply with 5 star Green Star Office Design and As Built (V3) 5 NABERS energy rating and 4 NABERS water rating have been implemented.

101. All public art within the approved Public Art Strategy shall be installed prior to the issue of the Final Occupation Certificate.

102. The existing council stormwater pipeline shall be protected by creation of drainage easement of appropriate width based on the size of the stormwater relevant infrastructures such pits and stormwater pipes (**approval for the appropriateness of the easement width should be obtained from the council's Civil Infrastructure Unit**). Prior to issue of the Final Occupation Certificate the documentary evidence showing the creation of appropriate layout and width of required drainage easement shall be submitted to council as well as to the principal certifying authority.

Reason: To protect council's asset/ infrastructure.

103. 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. **DS01**. 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.

104. 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.

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

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

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

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

106. 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 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: Pedestrian and Vehicle safety.

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

- (a) compare the post-construction dilapidation/damage report with the pre-construction dilapidation/ damage report, and
- (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (c) carry out site inspection to verify the report and ensure that any damage to the public infrastructure as a result of the construction work have been rectified immediately by the developer at his/her cost.
- (d) Forward a copy of the dilapidation report with the PCA's comparison and assessment review report to Council.

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

108. The Principal Certifying Authority shall ensure that the required number of accessible parking spaces is provided and suitable identified to meet statutory requirements.

109. The following measures shall be implemented to assist in minimising the incidence of crime and contribute to perceptions of increased public safety, both on and within proximity to the site:

- (a) The applicant shall install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the car park, lobby spaces to all lift cores, entry doors to all fire stairs, the through site link and the Phillip Street frontage of the site.

The system shall be designed and operated to enable recordings (24) hours a day seven (7) days a week. The time and date must automatically be recorded. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed.

The CCTV control system should be located within a secured area of the premise and only accessible by authorised personnel.

Signage warning of CCTV coverage shall be displayed in suitable locations.

- (b) The lift external walls of the lift cores should be painted a bright colour, or otherwise treated, to assist in way finding through the basement.
- (c) The central courtyard between the existing and proposed building shall be designed to be secured by a 1.8m high fence to prevent after hours access.
- (d) Fire exit doors should be fitted with measures to restrict unauthorised access.
- (e) A 'swipe' card system or the like shall be used to control access to all service areas.

110. A Final Occupation Certificate shall not be issued until all works within the approved landscape plans have been completed.

111. Submission of documentation confirming satisfactory arrangements have been made for the provision of electricity services from an approved electrical energy provider prior to the issue of an Occupation Certificate.

Reason: To ensure appropriate electricity services are provided

112. A light spillage diagram is required to be prepared by a suitably qualified lighting engineer and submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. This diagram is to demonstrate light spillage generated by the proposed floodlighting system complies with the requirements of Australian Standard AS4284 - Control of Obtrusive Effects of Outdoor Lighting. Light spillage mitigating measures shall be maintained, at all times.

Reason: To prevent light spillage onto adjoining properties.

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

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

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

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

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

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

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

Reason: To ensure appropriate car parking.

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

Reason: To ensure pedestrian safety.

116. The stormwater design, including on site detention (OSD) and water sensitive urban design (WSUD) measures, shall be implemented generally in accordance with the Development Application submissions. An appropriately qualified engineer shall certify this requirement has been met to the satisfaction of the PCA prior to release of the Occupation Certificate.

117. The Principal Certifying Authority shall be provided with certification from an appropriately qualified engineer that all construction below the Probable Maximum Flood level (PMF) has been constructed to withstand the forces and stresses associated with the velocity and depth of floodwaters as required by conditions elsewhere in this Notice.

118. The works required by condition 46 must be completed to Council's reasonable satisfaction and certified by an appropriately qualified engineer, prior to release of the Occupation Certificate.

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

Reason: To ensure restoration of environmental amenity.

120. The applicant shall provide a letter to Council agreeing to all relevant processes to enable the through site link pedestrian link to be formally named, being:

- Nomination of preferred names by Council and applicant;
- Public exhibition and response to any issues;
- Approval by Councillors; and
- Approval by the Geographical Names Board

PRIOR TO THE ISSUE OF THE SUBDIVISION CERTIFICATE

121. A separate application must be made for a Subdivision Certificate. A Subdivision Certificate may be issued by Council prior to either the issue of a Construction Certificate or Occupation Certificate but only where the following conditions in this section of the Notice have been satisfied.

122. An application for street numbering must be lodged with Council for approval, prior to the issue of a Subdivision Certificate.

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

123. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of a Subdivision Certificate. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business"

section of Sydney Water's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92.

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

124. The application for a Subdivision Certificate shall incorporate the following requirements on title.

- a) Reciprocal rights of way for occupants of both lots over the accessway, car park and egress stairs to the public road and to any flood refuges that may be provided pursuant to this consent.
- b) 24 hour public and Council right of way over the walkway between Philip Street and George Street, consistent with dimensions as noted on the approved architectural plans.
- c) Easement to drain water over the Council stormwater pipeline between George Street and Phillip Street.
- d) Easement to drain water and restriction on use benefitting Council over the overland flow path from Phillip Street to George Street
- e) Easements for services as needed.
- f) Restriction on Use and Positive Covenant to safeguard long term maintenance and operation of the OSD and WSUD tank and systems.
- g) Restriction on Use and Positive Covenant to safeguard long term maintenance and operation of the flood gate, flood doors and any other flood proofing measures
- h) Prior to release of the Subdivision Certificate by Council, the Applicant shall demonstrate to Council's reasonable satisfaction that all of these requirements have been met.

125. Payment of the required section 94A contribution levy.

THE USE OF THE SITE

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

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

127. 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.

128. 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.

129. This consent provides for the use of the building by the Department of Education, with the building open to the public between 8.00am and 6.00pm weekdays.

130. Separate consent shall be obtained for the fitout and use of the separate ground floor retail /commercial tenancy to Phillip Street, and any signage.
131. The loading dock shall be managed to satisfy the approved Loading Dock Management Plan.
132. The parking supply and the allocation of parking spaces between the two allotments, shall be in accordance with the approved plans and shall not alter without the prior consent of Council.
133. The roller door at the Phillip Street driveway shall be closed during the period 7.00pm until 6.00am. Access or egress during that time shall be operated by remote control.
134. 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
135. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time.

ADVISORY NOTES