

APPENDIX 1 - RECOMMENDED DEFERRED COMMENCEMENT CONDITIONS

Upon the signature of the applicable delegate the deferred commencement conditions in this Appendix will form the conditions of development consent.

Development Consent No.: DA/485/2016

Property Address: 44 – 48 Oxford Street, Epping NSW 2121

Deferred Commencement

1. Pursuant to the provisions of Section 4.16(3) of the Environmental Planning and Assessment Act, 1979, the development application can be granted a Deferred Commencement Consent subject to the completion of the following:

- a) Submission to Council of suitable documentary evidence issued by the Department of Lands confirming that Lot 1 DP 206646 is a beneficiary of an easement to drain water burdening the downstream property known as 8 Essex Street, Epping which has been registered with the NSW Land and Property Information Service.

Advisory Note: Easements through Council properties (or Crown land managed by Council) can take up to 12 months to finalise.

- b) Given the proposed development is connecting into the existing easement, the applicants engineer shall provide detailed calculations and certify to Councils satisfaction that the easement drainage system will have sufficient capacity and is in functioning order to capture and drain the 20 year Average Recurrence Interval storm event for the subject site and all other sites benefiting from the easement.

Reason: To ensure the drainage easement can cater for the flows generated from the development site.

2. The applicant must amend and resubmit a fully coordinated set of Public Domain Alignment Drawings in accordance with Public Domain Guidelines, City of Parramatta, July 2017 addressing the issues outlined below for approval by Council's Development and Traffic Services Unit Manager for stamping:

- a) The levels at boundary and kerb line shown on the cross sections do not match the same levels shown on the longitudinal section. The applicant will need to identify which is correct and make any necessary adjustments (for example, refer cross section 1).
- b) More detail needs to be provided to show satisfactory transition between proposed footpath levels and existing footpath levels on Oxford Street, particularly to the north.
- c) Section 6 - adjust to achieve a continuous grade of 2.5% (approx.).
- d) Section 7 - adjust to achieve a continuous grade of 2.4% (approx.).
- e) Section 9 - adjust to achieve a continuous grade of 2.0% (approx.).

Reason: To ensure the levels of the footpath are functional.

The above requirement(s) must be satisfied within 24 months of this determination or the consent will lapse.

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

General Matters

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

Drawing No.	Prepared By	Dated
Site Plan / Site Analysis, Drawing No. 4232_DA-03	Nettleton Tribe	14.11.17
Basement Level 4, Drawing No. 4232_DA-04	Nettleton Tribe	14.11.17
Basement Level 3, Drawing No. 4232_DA-05	Nettleton Tribe	14.11.17
Basement Level 2, Drawing No. 4232_DA-06	Nettleton Tribe	14.11.17
Basement Level 1, Drawing No. 4232_DA-07	Nettleton Tribe	14.11.17
Ground Plan, Drawing No. 4232_DA-08	Nettleton Tribe	14.11.17
Upper Ground Plan, Drawing No. 4232_DA-09	Nettleton Tribe	14.11.17
Level 1 Plan, Drawing No. 4232_DA-10	Nettleton Tribe	14.11.17
Level 2-8 Plan, Drawing No. 4232_DA-11	Nettleton Tribe	14.11.17
Level 9-10 Plan, Drawing No. 4232_DA-12	Nettleton Tribe	14.11.17
Level 11-12 Plan, Drawing No. 4232_DA-13	Nettleton Tribe	14.11.17
Level 13 Plan, Drawing No. 4232_DA-14	Nettleton Tribe	14.11.17
Level 14 Plan, Drawing No. 4232_DA-15	Nettleton Tribe	14.11.17
Level 15 Plan, Drawing No. 4232_DA-16	Nettleton Tribe	14.11.17
Level 16-17 Plan, Drawing No. 4232_DA-17	Nettleton Tribe	14.11.17
Roof Plan, Drawing No. 4232_DA-18	Nettleton Tribe	14.11.17

East & West Elevations-Tower A, Drawing No. 4232_DA-21	Nettleton Tribe	14.11.17
East & West Elevations-Tower B, Drawing No. 4232_DA-22	Nettleton Tribe	14.11.17
North Elevation, Drawing No. 4232_DA-23	Nettleton Tribe	14.11.17
South Elevation, Drawing No. 4232_DA-24	Nettleton Tribe	14.11.17
Section A, Drawing No. 4232_DA-31	Nettleton Tribe	14.11.17
Section B & C, Drawing No. 4232_DA-32	Nettleton Tribe	14.11.17
Typical Detail Sections, Drawing No. 4232_DA-33	Nettleton Tribe	14.11.17
Stormwater Drainage Services Site Plan, Drawing No. SWDA 2.1	Partridge Hydraulic Services	9.11.2017
Stormwater Drainage Services Basement 1 & 2 Layout, Drawing No. SWDA 4.1	Partridge Hydraulic Services	9.11.2017
Stormwater Drainage Services Basement 3 & 4 Layout, Drawing No. SWDA 5.1	Partridge Hydraulic Services	9.11.2017
Ground Floor Landscape Plan, Drawing No. 02	Taylor Brammer	20.12.2017
Level 14 Landscape Plan, Drawing No. 03	Taylor Brammer	20.12.2017
Level 1 Landscape Plan, Drawing No. 04	Taylor Brammer	20.12.2017
Level 1 Landscape Plan, Drawing No. 05	Taylor Brammer	20.12.2017
Ground Floor Planting Plan, Drawing No. 06	Taylor Brammer	20.12.2017
Level 14 Planting Plan, Drawing No. 07	Taylor Brammer	20.12.2017
Level 1 and 2 Planting Plan, Drawing No. 08	Taylor Brammer	20.12.2017
Alignment Level, Drawing No.09 (Subject to adjustment in accordance with the plans approved at deferred commencement stage)	Taylor Brammer	20.12.2017
Public Domain Plan, Drawing No. 10 (Subject to adjustment in accordance with public domain plans approved by Council at Construction Certificate Stage)	Taylor Brammer	20.12.2017

Document(s)	Prepared By	Dated
Amended Statement of Environmental Effects	Higgins Planning	November 2017
Waste Management Plan	Universal Foodservice Designs	15.06.2016
Acoustic Report	Acoustic Logic	03.06.2016
BASIX Certificate No. 733228M_02	Building Sustainability Assessments	22.11.2017

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

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

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

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

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

Reason: To ensure compliance with legislative requirements.

4. 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.

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

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

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

- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on

A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.

- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (i) Demolition is to be completed within 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) 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.

- (m) 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.
- (n) 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).
- (o) Before demolition works begin, adequate toilet facilities are to be provided.
- (p) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (q) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
 - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

6. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of SafeWork 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.

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

Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all

fill imported onto the site should be validated by either one or both of the following methods during remediation works:

- (a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- (b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines

Reason: To ensure imported fill is of an acceptable standard.

8. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority immediately.

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

9. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

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.)

10. Prior to the release of a Construction Certificate, the approved plans are to be amended to address outstanding minor changes requested by the Council's Design Excellence Advisory Panel (DEAP) arising from its meeting of 9 November 2017 to the satisfaction of Council's Manager Development and Traffic Services. These are specifically:
- (a) Provision of refined finishes to the southern elevation of Tower A to ameliorate its visual appearance from the public domain including the use of colour and/or precast texture pattern treatments;
 - (b) Provision of amended north and south side elevations to the podium and the soffit above the basement access ramp to provide screening and softening (e.g. by way of landscaping in planters or other similar measures)
 - (c) Provision of an amended landscape design (with certification by the designing landscape specialist) that a considered interface is delivered between the subject site and the development to the south.
 - (d) Provision of a softened edge to the planter beds on the northern and western sides of the atrium;

- (e) Provision of a revised landscape plan to provide an ordered geometry for the proposed tree planting locations to create a 'bosque' when viewing through the trunks;
- (f) Amendment of the proposed timber screens in the public domain to provide integrated seating;
- (g) Provision of CCTV and time operated gates prepared in accordance with CPTED principles; and
- (h) The roof terrace is to be amended to include shade, a barbeque, seating, a universal toilet, and appropriate landscaping. Any structural element is to be setback so as to be of limited visual impact from the public domain.

Following approval of the above amended details by Council, the Construction Certificate plans are to be consistent with the amended approved plans.

Reason: To ensure a suitable level of public and residential amenity.

11. The applicant is to engage a suitably qualified historical archaeologist who satisfies the Heritage Council of NSW's 'Excavation Directors' Assessment Criteria'. The archaeologist is to prepare for submission to the NSW Heritage Division, an Archaeological Assessment Report and an Archaeological Excavation Permit Application for Archaeological Testing under Section 140 of the *Heritage Act 1977* to be undertaken on the western half of the site in relation to the potential archaeological remains associated with the Early Colonial Convict Barren Hills Sawing Establishment.

Reason: To comply with the requirements of the *Heritage Act 1977*.

12. The applicant is to prepare a Heritage Interpretation Plan for the "House" at 48 Oxford Street that is to be submitted to Council's satisfaction prior to the issue of a Construction Certificate.

Reason: To ensure the significant history/nature of the site is adequately communicated to occupants, visitors and/or passers-by.

13. Prior to the issue of the Construction Certificate for any construction work relating to the ground floor, including slab pour, public domain works or any other above ground structure, a set of detailed Public Domain Construction Drawings must be submitted and approved by Council's Development and Traffic Services Unit Manager.

The drawings shall address the following areas:

- all the frontages of the development site between the gutter and building line, including footpath, verge, drainage, forecourt and front setback;
- any laneways or publicly accessible pedestrian links or thoroughfares; dedicated land for public use as per VPA (*if applicable*); and
- any works in carriageway (*if applicable*).

Grading of the pedestrian footway:

- Detailed design spot levels and designed contour levels are required.

- Localised flattening of public footpath levels at building doorways is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with council. Ramping of the footway to suit adjacent building requirements will not be accepted.

The Public Domain Construction Drawings and specifications shall be prepared in accordance with:

- the latest Parramatta City Council Public Domain Guidelines;
- the approved Public Domain Alignment Drawings (*refer below*), and
- all the DA Conditions listed in this consent.

The Public Domain Construction Drawings shall reflect the following amendments to the DA drawings:

- Concrete vehicle driveway with no splay at the road edge to match existing driveway alignments in Oxford Street. The vehicle driveway crossover should otherwise be constructed to comply with Council standard engineering detail DS8 or 9 as applicable.
- Brick paving finish in herringbone pattern as shown in the DA plan. Sub-base structure is to comply with Council standard engineering detail DS40. The 'City standard' grey concrete paver is not to be used.
- Any new or relocated street trees in Oxford Street planted in accordance with the requirements of the Public Domain Guidelines showing structural pavement support around the proposed new trees. Details of the proposed structural design to be provided for Council approval.
- Infill pit lids (paving infill) re-levelled and re-aligned to suit the proposed paving pattern detail design.
- Car bollard locations coordinated with the exiting street light to be retained in a logical composition of street elements.
- Review of the proposed location of the existing (southern) street tree proposed to be relocated under the existing Melaleuca trees. Any re-location of existing street trees should properly consider new surrounds and space requirements for all trees. Re-use of the existing street trees is subject to review of each specimen at the time the tree is taken out of the ground for relocation. A site inspection by Council officers is to be arranged by the contractor prior to replanting of the trees.

Reason: To comply with Council requirements.

14. The podium planter area for the Hidden Forest must be accommodated in a minimum depth slab set down for the full area of the planter. This will allow minimum soil depth of 1000mm plus drainage and waterproofing layers, up to 1500mm soil depth in places as required to suit the soil volume requirements of the proposed large tree species. Soil volume calculations for each tree, in

accordance with Apartment Design Guide (ADG) requirements for trees in planter boxes, are to be shown and approved at Construction Certificate stage.

Reason: To update the DA design to comply with DEAP and ADG requirements.

15. The number of car parking spaces and bicycle spaces provided on site are to be modified to the following:
 - (i) **A maximum of 173 car parking spaces** (comprising a maximum of 108 resident owned car parking spaces, a minimum of 25 and maximum of 40 commercial/retail car parking spaces, and a maximum of 25 visitor car parking spaces) Note: no more than 108 residential car parking spaces and 25 visitor car parking spaces may be provided even where commercial parking is provided at a reduced level.
 - (ii) **5 car share spaces** (additional to the above car parking spaces); and
 - (iii) Bicycle Parking: **200 secure bicycle parking spaces.**

End of Trip facilities are to be incorporated into the basement of the development as referred to in the approved Green Travel Plan.

Details demonstrating compliance (i.e. revised architectural drawings) are to be submitted to and approved by Council's Manager Development and Traffic Services prior to issue of **any** Construction Certificate. Any surplus space is to be removed by a reduction in the footprint of the affected basement level. Once found satisfactory, the revised architectural drawings will be endorsed with Council's stamp.

Reason: To ensure traffic impacts from the development are minimised.

16. Prior to the release of the Construction Certificate by the Principal Certifying Authority the approved plans are to demonstrate that adequate soil volume per tree (and all plants), in accordance with ADG soil volume requirements for podium landscapes, is to be achieved for Construction Certificate approval to the satisfaction of Council's Manager Development and Traffic Services.

The amended plans so approved are to form part of the Construction Certificate plans.

Reason: To update the DA design to comply with DEAP and ADG requirements.

17. 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.

18. The 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.

19. 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 and Assessment Act 1979, as amended and the Environmental Planning and Assessment Regulation 2000.

20. A monetary contribution comprising \$1,988,311.70 is payable to City of Parramatta in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979 and the City of Parramatta Council Section 94A Development Contributions Plan (Former Hornsby LGA and Epping Town Centre). Payment must be by EFTPOS, bank cheque or credit card only.

Contribution Type	Amount
Plan Administration	\$3,777.80
Community Facilities	\$154,690.85
Drainage & Water Quality	\$34,198.95
Open Space & Recreation	\$1,352,449.65
Public Domain	\$288,106.35
Roads & Shared Paths	\$155,088.30
Total	\$1,988,311.70

The contribution is to be paid to Council prior to the issue of a construction 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.

The City of Parramatta Section 94A Development Contributions Plan (Former Hornsby LGA and Epping Town Centre) can be viewed on Council's website at: <https://www.cityofparramatta.nsw.gov.au/business-development/planning/development-contributions>

Reason: To comply with legislative requirements and to provide for the increased demand for public amenities and services resulting from the development.

21. 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.

22. 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.

23. In accordance with Section 4.16 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/485/2016;
- (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	\$5,000

Nature Strip and Roadway	\$25,000
Street Trees	\$4,000

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to City of Parramatta 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.

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

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

25. 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 the development. A connection is to be provided internally to each dwelling/unit within the development.

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.

26. 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.

27. A noise management plan must be prepared in accordance with the NSW Department of Environment, Climate Change and Water 'Interim Noise Construction Guidelines 2009' and accompany the application for a Construction Certificate. The Certifying Authority must be satisfied the Construction Noise Management Plan will minimise noise impacts on the community during the construction of the development.

The Construction Noise Management Plan must include:

- (a) Identification of nearby residences and other sensitive land uses.
- (b) Assessment of expected noise impacts.

- (c) Detailed examination of feasible and reasonable work practices that will be implemented to minimise noise impacts.
- (d) Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes.

Reason: To prevent loss of amenity to the area.

28. 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.

29. The development must incorporate 22 adaptable dwellings. Plans submitted with the construction certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

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

30. All roof water and surface water is to be connected to an operable drainage system. The site drainage system shall comply in general with the approved drainage plans Dwg No. SWDA 3.1 Revision P3 dated 8/06/2016 & SWDA 2.1 & 5.1 Revision P2, dated 31/05/2016 prepared by Partridge Structural P/L engineering consultant.

The Principal Certifying Authority shall ensure that:

- The submission of suitable documentary evidence issued by the Department of Lands confirming the creation of an easement to drain water over a downstream property or properties benefiting the subject site has been registered with the NSW Land and Property Information Service and submitted to the Principal Certifying Authority prior to the issue of a Construction Certificate.

Details are to be shown on the plans and documentation accompanying the application for a Construction Certificate.

Reason: To ensure satisfactory stormwater disposal.

31. In the event that required retaining walls are not 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 600mm in height or within 900mm of any property boundary.

The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior commencement of the works.

Structural details, certified by a practicing structural engineer, shall accompany the application for a Construction Certificate for assessment and approval by the certifying authority.

Note: This condition does not relate to retaining walls shown on the approved DA plans.

Reason: To minimise impact on adjoining properties.

32. A building plan approval must be obtained from Sydney Water Tap in™ to ensure that the approved development will not impact Sydney Water infrastructure.

A copy of the building plan approval receipt from Sydney Water Tap in™ must be submitted to the Principal Certifying Authority upon request prior to works commencing.

Please refer to the website <http://www.sydneywater.com.au/tapin/index.htm>, Sydney Water Tap in™, or telephone 13 20 92.

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

33. 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.

34. 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 easement.

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.

35. Full engineering construction details of the stormwater system, including OSD 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 Hornsby Council's Specifications for on-site stormwater detention system.

Drainage Plan Dwg No. SWDA 3.1 Revision P3 dated 8/06/2016 & SWDA 2.1 & 5.1 Revision P2, dated 31/05/2016 prepared by Partridge Structural P/L engineering consultancy.

- (b) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.
- (c) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.
- (d) Provide an overflow pit (or pipe bypassing the orifice plate) to the on-site detention tank and this issue shall be shown on the drainage plan.
- (e) The drainage engineer shall supervise and be satisfied of the site stormwater discharge pipe connection into the existing pit of the existing drainage easement on site as shown on plan.
- (f) The capacity of the pipe in the existing drainage easement to carry the designated flow shall be subject to the certification of the design drainage engineer and to the satisfaction of the Principal Certifying Authority.

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

36. 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.

37. 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.

38. 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.

39. The final Landscape Plan must be consistent with plans prepared by TaylorBrammer Landscape Architects Issue A dated 24/10/2017, together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:

- (a) Updating of the proposed plant schedule and documentation to include plant quantities and species selection.
- (b) All landscape plans are to be prepared by a professionally qualified landscape architect or designer.

Reason: To ensure that appropriate landscaping is implemented.

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

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

41. 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.

42. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS2890.1-2004, AS2890.6-2009 and AS2890.2-2002 for heavy vehicle usage.

Reason: To comply with Australian Standards.

43. 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 application.

Reason: To ensure appropriate vehicular manoeuvring is provided.

44. The bicycle storage/racks are to be provided in a security class B facility to comply with AS 2890.3-1993. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with AS2890.3.

45. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application.

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

46. 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. 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.

47. Sight distances from the proposed vehicular crossings to vehicles on Oxford Street are to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890. Vegetation and proposed landscaping must not hinder sight lines to and from the vehicular crossings to pedestrians, cyclists, and general traffic.

Reason: To ensure vehicle and pedestrian safety.

48. All vehicles are to enter and leave the site in a forward direction and are to be wholly contained on site before being required to stop.

Reason: To ensure vehicle and pedestrian safety.

49. Stormwater 360 Storm Filter Cartridge or a similar system of water quality treatment devices approved by Council's Manager Development and Traffic Services must be installed to manage surface runoff water to the drainage easement draining to Essex Street to satisfy the water quality provisions of the Hornsby Development Control Plan 2013. Details of the proposed devices and their location must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority. In the event that an alternate system to Stormwater 360 is used, correspondence noting Council's acceptance of the alternative must be provided to the Principal Certifying Authority prior to the release of a Construction Certificate.

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

50. Prior to the issue of a Construction Certificate, a certificate shall be submitted to the Certifying Authority certifying that the piped drainage system has been designed to an Average Recurrence Interval of not less than 20 years.

Note: Where the City of Parramatta Council is nominated to issue a Construction Certificate for stormwater drainage, the following details will be required:

- i. Full details of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and Runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels etc.
- ii. A Plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regarding of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.

Reason: To ensure the roof drainage system is designed for the 5% AEP storm event

Prior to Work Commencing

51. 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.

- 52. A Pedestrian Access and Mobility Plan is to be prepared prior to the issue of the Construction Certificate which detail pedestrian movements during construction.

Reason: To ensure appropriate pedestrian management during construction works.

- 53. Prior to the commencement of any works on site, the applicant must submit a Construction and Traffic Management Plan to the satisfaction of Council's Service Manager Traffic and Transport. 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 entry and 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 City of Parramatta Council for any temporary road closures or crane use from public property.

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

- (i) Evidence of Roads and Maritime Services 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.

54. Prior to demolition of the "House" at 48 Oxford Street, the applicant is to prepare an Archival Photographic Record in accordance with the NSW Heritage Office (2006) guidelines for the 'Photographic Recording of Heritage Items Using Film or Digital Capture'. The Archival Photographic Record is to be submitted to the satisfaction of the Council.

Reason: To ensure the significant history/nature of the site is adequately communicated to occupants, visitors and/or passers-by.

55. 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).

In addition, 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.

56. 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.

57. 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.

58. 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.

59. 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.

60. 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.

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

All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard

Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

The application for a driveway crossing requires the completion of the relevant application form and accompanied by plans, grades/levels and specifications. A fee in accordance with 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.

62. 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.

63. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98A(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.

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

Reason: To ensure adequate toilet facilities are provided.

65. 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.

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

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

67. 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.

68. 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.

69. Prior to works commencing the Applicant's nominated electrical consultant/contractor is to provide to the Principal Certifying Authority evidence of a preliminary enquiry to Ausgrid seeking advice for the connection of the proposed development to the adjacent electricity network infrastructure.

Ausgrid will consider whether or not:

- (a) The existing network can support the expected electrical load of the development;
- (b) A substation chamber may be required on-site, either a pad mount kiosk or chamber style and;
- (c) Site conditions or other issues that may impact on the method of supply.

The applicant is advised to seek further information at www.ausgrid.com.au about how to connect to Ausgrid's network.

It is also advised that the need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.

Reason: To ensure adequate electricity design.

70. The applicant is to consider the impact that existing street lighting and any future replacement street lighting and maintenance may have on the development. Should the applicant determine that any existing street lighting may impact the development, the applicant is to either review the development design, particularly the placement of windows, or discuss with Ausgrid the options for relocating the street lighting. The relocating of any street lighting will generally be at the applicant's cost. In many cases it is not possible to relocate street lighting due to its strategic positioning.

Reason: Ausgrid requirement.

71. There are existing underground electricity network assets in Oxford Street. Special care is also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in the ground levels from previous activities after the cables were installed. Hence it is recommended that the applicant locate and record the depth of all known underground services prior to any excavation in the area.

Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable. Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

Reason: Ausgrid requirement.

During Work

72. All the public domain works shall be constructed by licensed contractors. All the soft landscape works shall be carried out by licensed landscape contractors.

A range of inspections will be carried out by Council staff during the construction phase. The applicant must contact Council's Inspection 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;
- Subgrade inspection following excavation for footings, drainage and pavements, tree pits showing root barriers, structural soil cell, sub-surface drainage and irrigation system as required;
- Installation of required underground conduits;
- Blinding layer/concrete slab based completion and initial (indicative) set out of pavers street fixtures and fittings as applicable to ensure compliance with the requirements in the Public Domain Guidelines;
- Delivery of street trees to site. Trees shall be installed within 24hrs of delivery;
- Special site inspection to review the condition of any existing street tree proposed for relocation in the public domain.
- Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

Note: Additional daily inspections by Council Officers may occur to view progressive paving set out and construction depending on the project size and type.

Reason: To comply with Council requirements.

73. 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.

74. 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.

75. 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.

76. 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.

77. 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.

78. Trees to be removed are:

Tree No.	Species	Common Name	Location
1x	<i>Archontophoenix cunninghamiana</i>	Bangalow Palm	Front of site

Reason: To facilitate development.

79. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Safe Work Australia Guide to managing risks of tree trimming and removal work.

Reason: To ensure works are carried out in accordance the Safe Work Australia Guide to managing risks of tree trimming and removal work.

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

Reason: To ensure satisfactory stormwater disposal.

81. A 200mm wide grated drain, incorporating a heavy duty removable galvanised grate is to be located within the site at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.
Reason: Stormwater control.
82. 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.
83. A footpath is to be constructed in accordance with Council Standard Drawing DS3 in front of the site within the road reserve. Details of the proposed footpath works shall be submitted to and approved by Council's Civil Asset Team prior to commencement of footpath works. All costs are to be borne by the applicant.
Reason: To provide pedestrian passage.
84. 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.
85. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.
Reason: To ensure Council's assets are appropriately constructed.
86. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.
Reason: To ensure appropriate disposal of asbestos materials.
87. All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.
Reason: To ensure appropriate disposal of asbestos materials.
88. A Waste Data file is to be maintained, recording building/demolition contractor's details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.

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

89. 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.

90. 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.

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

Reason: To prevent pollution of the environment.

92. 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.

Prior to the issue of an Occupation Certificate/Subdivision Certificate

93. 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.

94. Prior to any issue of the Occupation Certificate (including a Preliminary Occupation Certificate), the public domain construction works must be completed to Council's satisfaction and a final approval shall be obtained from Council's Assets & Environment Manager.

The Work-as-Executed Plans 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 Occupation Certificate.

Council will issue the final approval for public domain works in accordance with the approved public domain documentation and to 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.

A one year (52 week) maintenance period is required to be carried out by the applicant for all the works constructed in the public domain. A landscape maintenance schedule prepared by a qualified Landscape Architect shall be submitted to Council specifying minimum 52 weeks' plant establishment to be provided by the applicant following handover of paving and furniture assets to Council. Council maintenance of plant material to commence following the above plant establishment period.

A two year (104 week) maintenance and defects period is required for any public domain works that include WSUD devices, including bio-retention tree pit, rain garden, swale etc., to be carried out by the developer following final Occupation Certificate approval of the public domain works by Council Officers.

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

95. 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) Certificate of Structural compliance of the OSD tank walls and cover slab from a qualified structural engineer

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.

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

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available in Council's website, under Development Forms.

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

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

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

97. 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.

98. 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. DS1. 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.

99. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

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

100. 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 stator requirements.

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

Reason: To ensure a visible house number is provided.

102. 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 Certificate No. 733228M_02, will be complied with prior to occupation

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

103. 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.

104. Prior to the issue of an Occupation Certificate, a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to provide and maintain 5 car share parking spaces on the lot and provide public access to these spaces. The authority to release must be the City of Parramatta Council.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through an application to the Land Titles Office using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the car share spaces within the lot.

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 site.

Reason: To ensure the availability of these spaces for car share operators.

105. Prior to issue of an Occupation Certificate or Subdivision Certificate, a Positive Covenant and Restriction on the use of land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner of each residential lot with disqualification from participation in any existing or future

City of Parramatta Council on-street resident parking permit scheme. The authority to release must be the City of Parramatta Council.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through an application to the Land Titles Office using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the car share spaces within the lot.

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 site.

Note: The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW.

Reason: To reduce parking demand.

106. As part of the subdivision of the proposal, the 26 visitor car parking spaces and the 5 car share spaces are to be included within common property on the site. These spaces are not to be sold for use as, leased for use as, or used as, residential occupant spaces.

Reason: To ensure the ongoing availability of these facilities.

107. Prior to issue of the final residential Occupation Certification the Principle Certifying Authority is to be satisfied that the facilities provided on site are in accordance with the recommendations in Section 5 of the Green Travel Plan reference number N147040 prepared by GTA Consultants and dated 20 July 2018.

Reason: To ensure implementation of the Green Travel Plan.

108. 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.

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

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

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

109. 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 6

Reason: To comply with the requirements of SEPP 65.

110. 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 Parramatta DCP 2011 have been met.

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

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

112. 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 an Occupation Certificate.

Reason: To ensure restoration of environmental amenity.

113. The subdivision certificate will not be issued until a final Occupation Certificate has been submitted to Council.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and conditions of consent.

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

Reason: To comply with the Conveyancing Act 1919.

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

(a) Acoustic Report, dated 03.06.2016, prepared by Acoustic Logic.

Reason: To demonstrate compliance with submitted reports.

116. A conduit for Council's multi-media facilities is required to be installed to the full length of the street frontage on Oxford Street. The conduit must be

positioned and installed in accordance with Council's standards drawing and specifications.

Reason: To update the DA design to comply with DEAP requirements.

117. A fully automated irrigation system is to be provided for all communal open spaces.

Reason: To update the DA design to comply with DEAP requirements.

118. A universal WC and barbecue facility are to be provided on the Roof Terrace.

Reason: To update the DA design to comply with DEAP requirements.

The Use of the Site

119. 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.

120. 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.

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

Reason: To reduce noise levels.

122. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

123. The air conditioner/s must not:

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

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

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

(2) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those as specified in (1), which exceeds the background (LA90, 15 minute) by more than 5dB(A).

The source noise level must be measured as a LAeq 15 minute.

Reason: To prevent loss of amenity to the area.

124. The ground floor courtyard area is to be open for public access between 7.00a.m and 10.00p.m seven days, and secured outside that time to ensure security of this space.

Reason: To ensure the space is available for public access.

125. The facilities provided and the uses on site are to be operated at all times in accordance with the recommendation in Section 5 of the Green Travel Plan reference number N147040 prepared by GTA Consultants and dated 20 July 2018.

The applicant is to provide, or subsidise the provision of by a private car share operator, 2 car share vehicles to be available to residents and the wider public for 2 years from the date of first residential occupation.

Reason: To ensure implementation of the Green Travel Plan.

126. One year from the issue of the Occupation Certificate, and every year for 3 years thereafter, the applicant shall submit to Council's Manager Development & Traffic Services a review of the effectiveness of the Green Travel Plan. The reviews shall include surveys of modal share and vehicle trip generation for the various land uses within the development during peak and off-peak periods. The review shall also include recommendations for improving the effectiveness of the plan. Any recommendations made to improve the effectiveness of the plan shall be incorporated into an updated Green Travel Plan.

Reason: To ensure the effective management of the Green Travel Plan.

127. The Green Travel Plan shall be incorporated into or annexed to the strata management plan for the residential units in perpetuity.

Reason: To ensure implementation of the Green Travel Plan.