



Addendum Report to Sydney West Central Planning Panel

SWCCP reference	2016SYW224
DA No.	1005/2016
Date of receipt	21 October 2016
Proposal	Construction of a mixed use development of 3 buildings with heights of 4 - 14 storeys containing 421 residential units, 6 neighbourhood shops over 2 levels of basement car parking, and subdivision to create development lots and 1 road lot to be dedicated to council; construction of roads and public domain elements.
Street address	29 Carter Street, Lidcombe
Property Description	Lot 13 DP 1217641
Applicant	Australia YMCI PTY LTD
Owner	Australia YMCI PTY LTD
Submissions	One
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act and Regulations• State Environmental Planning Policy No. 55• State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development)• State Environmental Planning Policy (Sydney Harbour Catchment) 2005• State Environmental Planning Policy (Building Sustainability Index: BASIX)• State Environmental Planning Policy (State and Regional Development) 2011• Auburn Local Environmental Plan 2010• Carter Street Precinct Development Control Plan 2016• Carter Street Precinct Development Contributions Plan 2016

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

Legislative clauses requiring consent authority satisfaction	Yes
Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised in the Executive Summary of the assessment report ?	
Clause 4.6 Exceptions to development standards	Yes
If a written request for a contravention to a development standard has been received, has it been attached to the assessment report?	
Special Infrastructure Contributions	No
Does the DA require Special Infrastructure Contributions conditions (S94EF)?	
Conditions	Yes
Have draft conditions been provided to the applicant for comment ?	

Recommendation	Approval
Report by	Brad Roeleven, Executive Planner

1. Executive summary

At its meeting on 6 September 2017 the Panel resolved to defer determination of this application for certain matters to be addressed. Those issues are the subject of this report.

That original report also noted the applicant's concurrent development application for the construction of the roads and public domain elements of this project (DA 1089/2016).

In addressing the resolution of the deferred commencement conditions as required by the Panel, it is apparent that fragmenting this project into separate applications unnecessarily complicated project documentation, and the framing of conditions across both applications. By agreement the scope of works under DA 1089/2016 has therefore been incorporated into this application. Note that all required processes for DA 1089/2016 have been completed, and that application is otherwise ready for determination in its own right.

This report therefore recommends that the Panel:

- Approve a variation to the building height control in Auburn LEP 2010, via clause 4.6 of that plan; and
- Grant an operational consent to the application, as revised to include the scope of works proposed under DA 1089/2016.

2. Prior decision of the SWCPP

At its meeting on 6 September 2016 the Panel deferred a determination of DA 1005/2016 for the following reasons:

1. *The applicant to respond to the odour and traffic issues raised by Suez in its letter of 4 September 2017, and to enable Suez to provide further supporting information about the issues raised.*
2. *Council to fully assess the compatibility or, restriction that an approval of the proposal would cause on expansion of the nearby Olympic Stadium.*
3. *The applicant to provide additional design details and amendments specified in Schedule 1 of the assessment report dated 5 September 2017.*

Those issues are addressed below.

3. Item 1- Suez issues

Council approached Suez seeking greater clarity of the two issues raised in its original submission of 4 September 2017. Suez provided a brief response by email on 13 September 2017. The two matters are revisited below:

Issue 1: Hours of operation of liquid waste treatment plant

Original comment	The waste station operates 24 hours a day except Sundays when operating hours are 7am until 4pm. Given the proximity of this proposal to the facility Suez believes it is appropriate to require notification to any prospective purchaser of residential/commercial premises of the commercial nature of the station, and its operating hours.
Further comment 13.9.17	<i>Increased likelihood for noise complaints. It is a condition of our licence that the operations at the premises must not cause or permit the emission of any offensive odour. To this end, the operating hours are not likely to have an impact on odour complaints; however, given that 417 residential units are planned less than 300 meters away, SUEZ is concerned there may be an increase in noise complaints due to trucks coming and going from the Auburn Transfer Station late at night and into the early hours of the morning. SUEZ will, as always, endeavour to keep the impact of its activities to a minimum.</i>

Response

The further comment from Suez confirms their concern with a new residential population in proximity to its site relates to an increased likelihood of noise complaints, given operating hours, rather than odour complaints.

The issue of noise is addressed to the maximum extent by requiring compliance with the recommended noise criterion within the Carter Street Precinct DCP. That criterion is more onerous than the equivalent provision within the SOPA Master Plan (current and draft).

The applicant advises that its current sales contract already:

- Provides a disclosure that the development is near Sydney Olympic Park; and
- Gives the vendor/developer the right to create or enter into a right that burdens the land or the property or both, substantially in the form of the Event Covenant used by SOPA in relation to disturbance, inconvenience, nuisance, disruption or economic loss arising in connection with the operation of Sydney Olympic Park.

The applicant has agreed to a condition which requires the creation of that covenant, and such is included in the updated set of conditions attached at **Appendix A** of this report. Further, Council now also includes the following notation on planning certificates issued under section 149(5) of the Environmental Planning and Assessment Act 1979:

Advisory Note – Proximity to Sydney Olympic Park

The land is within proximity to the Sydney Olympic Park precinct. The nature and scale of facilities within that precinct, and events that it supports, may affect the use and enjoyment of the land as a result of operating hours, noise, lighting, traffic and measures associated with event management. The Sydney Olympic Park precinct also includes a liquid waste treatment plant which operates 24 hours a day except Sundays when operating hours are 7am until 4pm.

The Panel also raised the issue of odour relative to the Suez submission. Section 6.5 of Attachment A to the original assessment report provides a detailed consideration of this issue, and in summary concluded:

- The DPE could have structured the planning controls for the Carter Street Precinct to either preclude, or at the very least stage, the delivery of residential development in proximity to the plant, relative to 2025 when its current lease expires - but did not;
- On available information, the lease for the plant is unlikely to be extended;
- The SOP Master Plan controls for the land between this site and the LWTP permit high density residential development, with no objectives or provisions to mitigate odour impacts. Council understands that gazettal of the Master Plan, with no change to that aspect of its provisions, is imminent; and
- The applicant's odour report (prepared by the same consultants who prepared the technical report to the DPE for the rezoning evaluation of the Precinct) considered that the risk of adverse odour impacts from the LWTP under normal conditions is low. That report was accepted by Council's Environmental Health team.

Issue 2: Permits for Higher Mass Limit (HML) vehicles

Original comment	Suez holds permits which allow Higher Mass Limit (HML) vehicles to operate on Hill Road and Old Link road. Future objection to the continued approval of those permits would jeopardise the commercial activities of the station. Suez requests that no detrimental impacts be caused by the increased number of residential users in the area, and that no restrictions be placed on future permits for HML vehicles
Further comment 13.9.17	<i>Suez is seeking to protect our ability to operate HML-PBS trucks along approved routes regardless of the time of day – i.e. any restriction on the operating hours of these permits due to increased residential traffic would be detrimental to the</i>

	<i>commercial activities of the Auburn Transfer Station. As noted in the Addendum Report to the Sydney West Central Planning Panel, the operations of the Auburn Transfer Station are to continue until the lease expires in 2025.</i>
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Response

As noted in the first Addendum report to the meeting on 6 September 2017, Council's Manager, Traffic and Transport understands that HML vehicles comprise only a small percentage of trucks that use Hill Road. Council is a stakeholder in the permit process for HML vehicles, with the primary focus to ensure such vehicles do not adversely impact upon its civil assets.

Regarding the later comments from Suez received 13.9.17, Council's Manager, Traffic and Transport advises that the level of traffic resulting from this proposal would be unlikely to prejudice future permits by Suez for HML vehicles.

4. Item 2 – Expansion of adjacent Olympic stadium

The current capacity of the Olympic stadium is 83,000 people. In April 2016 the State government announced its intentions to refurbish the stadium, with that project to be delivered by Infrastructure NSW (INSW). No details as to the future capacity of the upgraded stadium were provided at the time of the announcement.

Council contacted INSW but was not provided with any clarity regards the future capacity of the stadium. The only advice given is that refurbishment of the stadium is the subject of business case which is under review as part of the government's Stadia Strategy.

This is consistent with advice council received from Venues NSW, the statutory authority (via the NSW Office of Sport) which manages government owned sporting and entertainment venues, including the Olympic stadium. It advised that despite significant media commentary, the NSW Government has not yet determined scope of the redevelopment of ANZ Stadium in terms of size and timing, and whether or not the design would include a roof.

Council has also made inquiries of SOPA, DPE and the Greater Sydney Commission but has not been able to confirm the likely future capacity of stadium.

The DPE Finalisation Report for the Carter Street Precinct considered the issue of noise impacts from SOP, as summarised below:

- The noise impact assessment excludes consideration of infrequent very high noise events such as the V8 Supercars in order that the glazing design not be unduly penalised, which would affect design quality and the cost of apartments. (Note – that event is no longer conducted at SOP in any case). Notwithstanding, the acoustic advice concludes that noise from all traffic and Sydney Olympic Park sources can be suitably mitigated by means of feasible acoustic glazing designs.
- Section 48A of the Sydney Olympic Park Authority Act 2001 (SOPA Act) restricts any proceedings or noise abatement action in respect of noise from a major event at Sydney Olympic Park which is below 85dBA at the nearest residential façade.

- The Department has received advice that a covenant cannot be imposed without the agreement of the landowner. Accordingly, the preferred approach to drawing future owners' attention to these provisions of the SOPA Act is through the section 149(5) certificate rather than a covenant on the land; however, this is a matter for Council.

While not applicable to this site, the current SOP Master Plan noise mapping nevertheless extends into the Carter Street Precinct. For the subject site it identifies the need for "substantial noise mitigation" while the more recent draft Master Plan Review (2016) identifies the need for "some" to "substantial" noise mitigation. Of interest is that the noise criteria in both the current and draft SOP Master Plans is identical, and is less onerous than the recommended criteria in the Carter Street DCP.

In responding to this matter it is concluded:

- This development is required to satisfy the recommended noise criteria in the Carter Street DCP which, as noted, is more onerous than the equivalent provisions in the SOP masterplan;
- The applicant has agreed to a covenant being registered on the title of the land alerting purchasers to the proximity and characteristics of events in Sydney Olympic Park; and
- Council now includes a notation on its 149(5) planning certificates, as previously discussed.

5. Item 3 – Resolution of deferred commencement matters

The applicant has submitted updated architectural, subdivision, public domain and Alignments plans which resolve the matters that were the subject of the deferred commencement conditions in the original report presented to the Panel.

Matters relating to OSD are the subject of conditions, to be satisfied prior to the issue of any Construction Certificate.

6. Other matters

6.1 Objection received for DA 1089/2016

By way of background, the lessor of Nos. 1-5 Hill Road, which adjoins the subject site, lodged an objection to DA 1005/2016. That submission related to issues of concern for the construction of roads elsewhere on the subject site, and which are not part of DA 1005/2016. That submission is addressed at section 7.2 of Appendix A of the assessment report considered by the Panel at its meeting on 6 September 2016.

DA 1089/2016 is a concurrent proposal by the applicant for the construction of the roads and public domain elements associated with DA 1005/2016. As noted at section 1 above, the scope of works under DA 1089/2016 is now incorporated into this application.

The lessor of Nos. 1-5 Hill Road, adjacent to the subject site, also lodged a submission to DA 1089/2016. That submission acknowledges the assessment of their concerns via DA 1005/2016, and makes two requests, which are addressed below:

Issue 1

Assuming the north-south roads (No. 4 and 5) are not required to align, as noted by Council's traffic engineer, our client's property will still have a direct frontage to the future Road No. 4 and connection to the CSP. Accordingly, we seek confirmation from Council, that as part of any future development application, the future Road No. 4 would not be required to align with the future Road No. 5, as identified in the DCP, but that the roads could be off-set in accordance with the advice from Council's Traffic Engineer.

Response

To address this, the following advice is proposed for inclusion in any Determination Notice:

"The location of any future roads within Lot 13 DP 1217641 must be consistent with the intent of the street network pattern within the Carter Street Development Control Plan relative to Nos 1-5 Hill Road Lidcombe, and otherwise to the satisfaction of Council."

Issue 2

Further to the above, we note that Department of Planning and Environment (DP&E) has commenced a strategic review of the planning controls for the CSP. We request that Council inform DP&E of their position on the alignments of Roads No. 4 and 5, to ensure an alternative road alignments are reflected in the future amendments to the Carter Street DCP that will likely result from the strategic review.

Response

Council is a stakeholder in the DPE's review of the planning controls for the Carter Street Precinct and will ensure this matter is brought to the attention of the Department.

Council has consulted with the submitter who has confirmed agreement to these outcomes, and that there is no objection to the Panel making an 'electronic determination' of this application.

6.2 Design changes

As a consequence of revisiting the design matters the subject of the deferred commencement conditions the following outcomes arise:

- Parking supply increases from 530 spaces to 552 spaces, being 3 spaces less than the maximum requirements nominated in the DCP;
- Council is no longer pursuing provision of a new of a new road, connecting Roads 3 and 5 and located adjacent the northern edge of buildings 3B1 and 3B2, as part of this scheme;
- Council is satisfied that the civil plans make adequate provision for the management of overland flow of stormwater within the road design.

These matters are acceptable to council.

7. Conclusion

Council's assessment for this application comprises the following:

- The initial assessment report to the Panel's meeting on 6 September, 2017;
- An addendum report to that meeting addressing a late submission from Suez, and
- This report, which addresses the matters arising from the Panel's decision on 6 September 2017.

The application has been assessed relative to section 79C of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework.

8. Recommendation

- A. That the Sydney West Central Planning Panel approve a variation to the building height control in clause 4.3 of Auburn LEP 2010, acknowledging the applicants written request has adequately addressed the matters required to be demonstrated by Clause 4.6 of that Plan, and the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone; and
- B. That pursuant to Section 80(3) of the Environmental Planning and Assessment Act, 1979 the Sydney West Central Planning Panel grant consent to Development Application DA/1005/2016 subject to the conditions in **Attachment A**.

Physical commencement is to occur within five (5) years from the date on the Notice of Determination.

- C. That those persons who made a submission be advised of the Panel's decision.



ATTACHMENT A - CONDITIONS OF CONSENT

SWCCP reference	2016SYW224
DA No.	1005/2016

GENERAL MATTERS

1. The development is to be carried out in accordance with the following **architectural plans** prepared by Kann Finch Group Pty Ltd, 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. and revision	Title	Dated
DA 00.02 – Revision D	Development Statistic Schedule	25.9.17
DA 02.01 – Revision C	Ground Floor Plan	18.9.17
DA 02.03 – Revision C	Level 1 Floor Plan	18.9.17
DA 02.04 – Revision C	Level 2 Floor Plan	18.9.17
DA 02.05 – Revision C	Level 3 Floor Plan	18.9.17
DA 02.06 – Revision C	Level 4 Floor Plan	18.9.17
DA 02.07 – Revision C	Level 5 Floor Plan	18.9.17
DA 02.08 – Revision C	Level 6 Floor Plan	18.9.17
DA 02.09 – Revision C	Level 7 Floor Plan	18.9.17
DA 02.10 – Revision C	Level 8 Floor Plan	18.9.17
DA 02.11 – Revision C	Level 9 Floor Plan	18.9.17
DA 02.12 – Revision C	Level 10 Floor Plan	18.9.17
DA 02.13 – Revision C	Level 11 Floor Plan	18.9.17
DA 02.14 – Revision C	Level 12 Floor Plan	18.9.17
DA 02.15 – Revision C	Level 13 Floor Plan	18.9.17
DA 02.17 – Revision D	Basement 1 Plan	21.9.17
DA 02.18 – Revision C	Basement 2 Plan	18.9.17
CA 02.40 – Revision C	Block 3A – Ground Floor Plan	18.9.17
DA 02.41 – Revision C	Block 3A – Level 1 Floor Plan	18.9.17
DA 02.42 – Revision C	Block 3A – Level 2 Floor Plan	18.9.17
DA 02.43 – Revision C	Block 3A – Level 3 Floor Plan	18.9.17
DA 02.44 – Revision C	Block 3A – Level 4 Floor Plan	18.9.17
DA 02.45 – Revision C	Block 3A – Level 5 Floor Plan	18.9.17
DA 02.46 – Revision C	Block 3A – Level 6 Floor Plan	18.9.17
DA 02.47 – Revision C	Block 3A – Level 7 Floor Plan	18.9.17
DA 02.48 – Revision C	Block 3A – Level 8 Floor Plan	18.9.17
DA 02.49 – Revision C	Block 3A – Level 9 Floor Plan	18.9.17

DA 02.50 – Revision C	Block 3A – Level 10 Floor Plan	18.9.17
DA 02.51 – Revision C	Block 3A – Level 11 Floor Plan	18.9.17
DA 02.52 – Revision C	Block 3A – Level 12 Floor Plan	18.9.17
DA 02.53 – Revision C	Block 3A – Level 13 Floor Plan	18.9.17
DA 02.54 – Revision C	Block 3A – Roof Plan	18.9.17
DA 02.60 – Revision C	Block 3B1 & 3B2 – Ground Floor Plan	18.9.17
DA 02.61 – Revision C	Block 3B1 & 3B2 – Level 1 Floor Plan	18.9.17
DA 02.62 – Revision C	Block 3B1 & 3B2 – Level 2 Floor Plan	18.9.17
DA 02.63 – Revision C	Block 3B1 & 3B2 – Level 3 Floor Plan	18.9.17
DA 02.64 – Revision C	Block 3B1 & 3B2 – Level 4 Floor Plan	18.9.17
DA 02.65 – Revision C	Block 3B1 & 3B2 – Level 5 Floor Plan	18.9.17
DA 02.66 – Revision C	Block 3B1 & 3B2 – Level 6 Floor Plan	18.9.17
DA 02.67 – Revision C	Block 3B1 & 3B2 – Level 7 Floor Plan	18.9.17
DA 02.68 – Revision C	Block 3B1 & 3B2 – Level 8 Floor Plan	18.9.17
DA 02.69 – Revision C	Block 3B1 & 3B2 – Level 9 Floor Plan	18.9.17
DA 02.70 – Revision C	Block 3B1 & 3B2 – Level 10 Floor Plan	18.9.17
DA 02.71 – Revision C	Block 3B1 & 3B2 – Roof Plan	18.9.17
DA 03.01 – Revision C	Elevation – North & South	18.9.17
DA 03.02 – Revision C	Elevation – Block 3A	18.9.17
DA 03.03 – Revision C	Elevation – Block 3B1	18.9.17
DA 03.04 – Revision C	Elevation – Block 3B2	18.9.17
DA 03.10 – Revision C	Section – Longitudinal	18.9.17
DA 03.11 – Revision C	Cross-section	18.9.17
DA 10.01 – Revision C	Deep Soil	25.9.17
DA 11.01 – Revision B	Pre/Post Adaption & LHD Silver Level Layouts	30.05.17
DA 13.56 – Revision C	Communal Open Space	25.9.17
DA 13.57 – Revision C	Communal Open Space	25.9.17
DA 04.01 – Revision B	Detail Façade Sections	18.9.17
DA 04.02 – Revision B	Detail Façade Sections	18.9.17
DA 04.03 – Revision B	Indicative Façade Sections	18.9.17
DA 04.04 – Revision A	External Finishes Schedule	18.9.17
DA 05.01 – Revision B	Perspectives	18.9.17
DA 05.02 – Revision B	Perspectives	18.9.17
DA 05.03 – Revision B	Perspectives	18.9.17
DA 05.04 – Revision B	Perspectives	18.9.17
DA 13.58 – Revision C	Storage Area Schedule	18.9.17
DA 13.59 – Revision C	Storage Area Schedule	18.9.17
DA 13.60 – Revision A	Residential Bike Parking Schedule	18.9.17
DA 13.61 – Revision A	Residential Bike Parking Schedule	18.9.17

The development is to be carried out in accordance with the following **on-site landscape plans** prepared by Environmental Partnership, 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. and issue	Title	Dated
3476.3A3B.G02 – issue 1	Key Plan	30.05.17

3476.3A3B.G03 – issue 1	Landscape Masterplan	30.05.17
3476.3A3B.G04 – issue 1	Irrigation Performance General Arrangement Plan	30.05.17
3476.3A3B.G05 – issue 1	Planting Schedules	30.05.17
3476.3A3B.G06 – issue 1	Planting Schedules 2	30.05.17
3476.3A3B.DP01 – issue 1	Detailed Plan – 1 of 4	30.05.17
3476.3A3B.DP02 – issue 1	Detailed Plan – 2 of 4	30.05.17
3476.3A3B.DP03 – issue 1	Detailed Plan – 3 of 4	30.05.17
3476.3A3B.DP04 – issue 1	Detailed Plan – 4 of 4	30.05.17
3476.3A3B.PL01 – issue 1	Planting Plan – 1 of 4	30.05.17
3476.3A3B.PL02 – issue 1	Planting Plan – 2 of 4	30.05.17
3476.3A3B.PL03 – issue 1	Planting Plan – 3 of 4	30.05.17
3476.3A3B.PL04 – issue 1	Planting Plan – 4 of 4	30.05.17
3476.3A3B.RG01 – issue 1	3A Roof Garden and Courtyards	30.05.17
3476.3A3B.RG02 – issue 1	3B1 Roof Garden and Courtyards	30.05.17
3476.3A3B.RG03 – issue 1	3B1 Roof Garden and Courtyards	30.05.17
3476.3A3B.RG04 – issue 1	3B1 Roof Garden and Courtyards	30.05.17
3476.3A3B.RG05 – issue 1	3B2 Roof Garden and Courtyards	30.05.17
3476.3A3B.FP01 – issue 1	Façade Planters 3A	30.05.17
3476.3A3B.FP02 – issue 1	Façade Planters 3A	30.05.17
3476.3A3B.FP03 – issue 1	Façade Planters 3B1	30.05.17
3476.3A3B.FP04 – issue 1	Façade Planters 3B1	30.05.17
3476.3A3B.FP05 – issue 1	Façade Planters 3B2	30.05.17
3476.3A3B.SC01 – issue 1	Road 5 Section Elevation + Cross Section	30.05.17
3476.3A3B.SC02 – issue 1	Road 3 Section Elevation + Cross Section	30.05.17
3476.3A3B.SC03 – issue 1	Communal Courtyard Sections	30.05.17
3476.3A3B.SC04 – issue 1	Roof Garden Sections	30.05.17
3476.3A3B.DE.01 – issue 1	Typical Pavement Details	30.05.17
3476.3A3B.DE.02 – issue 1	Typical Fence and Barrier Details	30.05.17
3476.3A3B.DE.03 – issue 1	Typical Step Details	30.05.17
3476.3A3B.DE.04 – issue 1	Typical Walling Details	30.05.17
3476.3A3B.DE.05 – issue 1	Typical Planting Details	30.05.17
3476.3A3B.DE.06 – issue 1	Typical Roof Garden Details	30.05.17
3476.3A3B.DE.07 – issue 1	Typical Façade Planter Details	30.05.17
3476.3A3B.DE.08 – issue 1	Typical Cable Trellis Details	30.05.17
3476.3A3B.DE.09 – issue 1	Typical Pergola Details	30.05.17

The development is to be carried out in accordance with the following **public domain landscape plans** prepared by Environmental Partnership, 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. and issue	Title	Dated
3467.LD01 – issue 2	Key Plan	17.9.17
3467.LD02 – issue 2	Landscape Plan – Area 1	17.9.17
3467.LD03 – issue 2	Landscape Plan – Area 2	17.9.17
3467.LD04 – issue 2	Landscape Plan – Area 3	17.9.17
3467.LD05 – issue 2	Landscape Plan – Area 4	17.9.17
3467.LD06 – issue 2	Landscape Plan – Area 5	17.9.17

3467.LD07 – issue 2	Cross Sections – Sheet 1	17.9.17
3467.LD08 – issue 2	Cross Sections – Sheet 2	17.9.17
3467.LD09 – issue 2	Public Domain Details – Sheet 1	17.9.17
3467.LD10 – issue 2	Public Domain Details – Sheet 2	17.9.17
3467.LD11 – issue 2	Public Domain Details – Sheet 3	17.9.17
3467.LD12 – issue 2	Public Domain Details – Sheet 4	17.9.17

The development is to be carried out in accordance with the following **subdivision plans** prepared by Tasy Moraitis 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. and issue	Title	Dated
Sheet 1 of 3 Draft - Issue 8	Plan of proposed subdivision of proposed lot 3 (being Zone 3) within the Hill Road and Carter Street development site	21.9.17
Sheet 2 of 3 Draft - Issue 8 Basement level 2	Plan of proposed subdivision of proposed lot 3 (being Zone 3) within the Hill Road and Carter Street development site	21.9.17
Sheet 3 of 3 Draft - Issue 8 Basement level 1	Plan of proposed subdivision of proposed lot 3 (being Zone 3) within the Hill Road and Carter Street development site	21.9.17

The development is to be carried out in accordance with the following **civil plans** prepared by AT+L, 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. and issue	Title	Dated
DAC 001 - Issue G	Cover sheet and locality plan	20.9.17
DAC 002 - Issue E	General notes and legends	20.9.17
DAC 005 - Issue E	General arrangement plan	20.9.17
DAC 007 - Issue F	Typical cross section sheet 1	22.9.17
DAC 008 - Issue E	Typical cross section sheet 2	20.9.17
DAC 009 - Issue E	Typical cross section sheet 3	20.9.17
DAC 010 - Issue E	Siteworks and stormwater drainage plan sheet 1	20.9.17
DAC 011 - Issue E	Siteworks and stormwater drainage plan sheet 2	20.9.17
DAC 012 - Issue E	Siteworks and stormwater drainage plan sheet 3	20.9.17
DAC 020 - Issue E	Road longitudinal section sheet 1	20.9.17
DAC 021 - Issue B	Road cross sections sheet 1	20.9.17
DAC 022 - Issue B	Road cross sections sheet 2	20.9.17
DAC 023 - Issue B	Road cross sections sheet 3	20.9.17
DAC 024 - Issue B	Road cross sections sheet 4	20.9.17
DAC 025 - Issue B	Road cross sections sheet 5	20.9.17
DAC 026 - Issue B	Road cross sections sheet 6	20.9.17
DAC 030 - Issue F	Pavement plan	22.9.17
DAC 035 - Issue E	Signage and linemarking plan	20.9.17
DAC 040 - Issue E	Services co-ordination plan sheet 1	20.9.17
DAC 041 - Issue B	Services co-ordination plan sheet 2	20.9.17
DAC 042 - Issue B	Services co-ordination plan sheet 3	20.9.17

DAC 043 - Issue B	Services detailed sections	20.9.17
DAC 050 - Issue E	Stormwater longitudinal sections sheet 1	20.9.17
DAC 051 - Issue E	Stormwater longitudinal sections sheet 2	20.9.17
DAC 052 - Issue B	Pre-development stormwater catchment plan	20.9.17
DAC 053 - Issue B	Post-development stormwater catchment plan	20.9.17
DAC054 - Issue B	Stormwater Overflow Plan sheet 1	20.9.17
DAC055 - Issue A	Stormwater Overflow Plan sheet 2	20.9.17
DAC056 - Issue A	Stormwater Overflow Plan sheet 3	20.9.17
DAC 060 - Issue E	Sediment and erosion control plan	20.9.17
DAC 061 - Issue E	Sediment and erosion control details	20.9.17
DAC 080 - Issue C	Alignment level plan sheet 1	20.9.17
DAC 081 - Issue C	Alignment level plan sheet 2	20.9.17
DAC 082 - Issue D	Public domain plan sheet 1	22.9.17
DAC 083 - Issue D	Public domain plan sheet 2	22.9.17
DAC 084 - Issue C	Public domain plan sheet 3	20.9.17
DAC 085 - Issue B	PD01 control line longitudinal sections sheet 1	20.9.17
DAC 086 - Issue B	PD01 control line longitudinal sections sheet 2	20.9.17
DAC 087 - Issue B	PD01 control line longitudinal sections sheet 3	20.9.17
DAC 088 - Issue B	PD01 control line longitudinal sections sheet 4	20.9.17
DAC 090 - Issue B	PD01 control line cross sections sheet 1	20.9.17
DAC 091 - Issue B	PD01 control line cross sections sheet 2	20.9.17
DAC 092 - Issue B	PD01 control line cross sections sheet 3	20.9.17
DAC 093 - Issue B	PD01 control line cross sections sheet 4	20.9.17
DAC 094 - Issue B	PD01 control line cross sections sheet 5	20.9.17
DAC 095 - Issue B	PD01 control line cross sections sheet 6	20.9.17
DAC 096 - Issue B	PD01 control line cross sections sheet 7	20.9.17

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.

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

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

3. 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.

4. 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.

It is acknowledged the development may proceed in stages, and that separate construction certificates may be issued for separate components within each stage. All relevant terms and conditions are to be met for each stage/component

Reason: To ensure compliance with legislative requirements.

5. Arrangements for stormwater collection and disposal, including Water Sensitive Urban Design shall be completed in accordance with plans approved to satisfy condition 1 of this consent, and as otherwise required by conditions within this Notice.
6. Hazardous or intractable wastes arising from the demolition or construction processes 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.

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

Records of each individual certification are to be kept on site and produced for inspection when requested.

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.

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

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

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

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

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

10. 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. This excludes the awning on building 3B1 which projects over Road 1.

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.

11. Any garbage chutes must be designed in accordance with the requirements of the *Building Code of Australia* and the Department of Environment and Climate Change *Better Practice Guide for Waste Management in Multi-Unit Dwellings*.

Reason: To ensure waste conveyance equipment is appropriately designed and managed.

12. Separate waste bins are to be provided on site for recyclable waste.

Reason: To ensure provision of adequate waste disposal arrangements.

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

Reason: To maintain the amenity of the area.

14. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer.

Reason: To minimise costs to Council

15. Within 90 days of this Notice a covenant under section 88E of the Conveyancing Act 1919 shall be registered on the land. The covenant shall burden the land and property substantially in the form of the event covenant used by Sydney Olympic Park Authority, and otherwise to the satisfaction of Council, in relation to disturbance, inconvenience, nuisance, disruption or economic loss arising in connection with the operation of Sydney Olympic Park.

16. Dedication of land to council

Lot 5 in the proposed subdivision of Lot 13 DP 1217641 shall be dedicated to Council. Dedication must be completed within 12 months of the issue of the first Occupation Certificate (Interim or Final). The condition of the road and public domain assets shall be to the satisfaction of Council's Service Manager, Civil Infrastructure at the time of dedication.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

17. No Construction Certificate shall be issued over any part of the site requiring an authorisation for an aquifer interference activity (construction dewatering) until a copy of that authorisation has been provided to the PCA and Council, consistent with the General Terms of Approval from Water NSW dated 7 December 2016.

The applicant must apply for an authorisation before the commencement of any work or activity that requires the extraction of groundwater, or alternatively, demonstrate to Council that approval under the Water Management Act 2000 is not required prior to the issue of any Construction Certificate.

Reason: As per the General Terms of Approval of DPI Water.

18. Design Verification issued by a registered architect is to be provided with the application for a Construction Certificate for each Stage 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.

19. The Construction Certificate for each stage of the works 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.

20. A monetary contribution comprising \$1,676,603.33 is payable to Parramatta City Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the and the *Carter Street Precinct Development Contributions Plan 2016*. Payment must be by EFTPOS, bank cheque or credit card only.

The contribution is to be paid to Council prior to the issue of any 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 *Carter Street Precinct Development Contributions Plan 2016* can be viewed on Council's website at:

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

Reason: To comply with legislative requirements.

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

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/1005/2016;
- (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 -	\$7,500
Street Furniture	N/A
Development site bond	\$20,000
Street Trees	N/A

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

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

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

24. The recommendations outlined in the following reports shall be incorporated into the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Certifying Authority:

- (a) Accessibility Design Review by ABE Consulting (Ref: 6341 dated 6 September 2017)
- (b) Waste Management Plan by Elephants Foot (Rev C, dated 13 October 2016)
- (c) BASIX Certificate 760624_02M.

Reason: To ensure a suitable level of residential amenity.

25. Prior to the issue of the relevant Construction Certificate(s) details to the satisfaction the Principal Certifying Authority shall be provided which demonstrate the design and construction of the buildings will achieve the recommended noise criteria in section 4.6 of the Carter Street Precinct Development Control Plan 2016, being:

- Living and working areas: 40 dBA(Laeq)
- Sleeping areas: 35dBA (Laeq)

26. 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 relevant Construction Certificate to the satisfaction of the Certifying Authority.

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

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

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

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 entire 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 any street elevation of the building; unless existing or 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. A Noise Management Plan must be submitted to Council for approval prior to any work commencing and complied with during any construction works. The plan must be prepared by a suitably qualified person, who possesses qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

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

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

- (b) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties during the main stages of work at neighbouring noise sensitive
- (c) What course of action will be taken following receipt of a complaint concerning site noise, dust and vibration?
- (d) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring properties to a minimum.
- (e) What plant and equipment is to be used on the site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring properties and other less intrusive technologies available.

Reason: To maintain appropriate amenity to nearby occupants.

30. The development must incorporate 43 adaptable dwellings. Plans submitted with the relevant 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 appropriately designed.

31. A total of 552 parking spaces are to be provided, allocated as follows:

- A minimum of 8 spaces to be provided for retail uses
- A minimum of 84 visitor spaces to be provided

The remaining 460 spaces shall be allocated to the residential apartments.

The 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 relevant Construction Certificate.

Prior to the issue of the relevant Construction Certificate, the PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, 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. Column locations are to comply with AS 2890.1 or otherwise provide a design/performance solution by a suitably qualified accessibility consultant to the satisfaction of Council's Service Manager, Traffic and Transport.

Reason: To ensure appropriate vehicular manoeuvring is provided, comply with Council's parking requirements and Australian Standards.

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

32. 421 residential, 35 visitor and 2 retail bicycle spaces/racks are to be provided on-site. in a security level B facility. The dimensions and layout of the bicycle storage/racks are to comply with AS 2890.3 – 2015, except where an apartment has a basement storage area on title that is large enough to accommodate a bike and is no smaller than a Security Level A bike locker in which case additional bike parking for that apartment is not required. Details are to be illustrated on plans submitted with the relevant Construction Certificate.

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

33. For the road network approved by this application which will become Council's asset upon dedication any plans for construction approved by the certifier must:

- Be consistent with those listed at condition 1 above, and all conditions of this Notice;

- Satisfy all relevant design standards of the City of Parramatta Council; and
- Be subject to all relevant inspections as nominated by the Principal Certifying Authority.

Design Standards

For the **road works** the standards are:

DS1	KERBS AND LAYBACKS
DS2	ROOFWATER OUTLET
DS3	FOOTPATH
DS4	KERB RAMP
DS5	DISH DRAIN CROSSING DETAIL
DS6	TYPICAL CYCLEWAY / SHARED PATHWAY (CONTINUOUS AND ALTERNATE POURS)
DS7	STANDARD PASSENGER CAR CLEARANCE PROFILE
DS8	STANDARD VEHICULAR CROSSING
DS9	HEAVY DUTY VEHICULAR CROSSING
DS10	VEHICULAR CROSSING PROFILES
DS11	SIGN POST SUPPORT (IN TURFED FOOTPATH AREA)
DS11A	SIGN POST SUPPORT (CBD IN PAVERS)
DS11B	SIGN POST SUPPORT (IN CONCRETE FOOTPATH AREA)
DS12	STANDARD CORNER ROUNDING AT PROPERTY BOUNDARY
DS33	SUB SOIL DRAINAGE DETAILS
DS42	TURFING DETAIL

For **road pavements** the design standards are:

- Specification 0042 (published by NATSPEC); and
- Austroads' Guide to Pavement Technology Part 2: Pavement Structural Design

Construction Standards

- If design traffic is less than 10⁵ ESA – AUS SPEC specifications (published by NATSPEC)
 - 1141 – Flexible Pavements
 - 1143 – Sprayed bituminous surfacing
 - 1144 – Asphaltic concrete (Roadways)
 - Other AUS SPEC specifications for the work not covered by above specifications
- If design traffic is equal or higher than 10⁵ ESA – RMS Specifications
 - 3051 – Granular Base And Subbase Materials For Surfaced Road Pavements
 - R71 – Unbound and modified pavement course
 - R73 – Construction of plant mixed heavily bound pavement course
 - R83 – Concrete pavement base
 - R106 – Sprayed bituminous surfacing (with cutback bitumen)
 - R107 – Sprayed bituminous surfacing (with polymer modified bitumen)
 - R111 – Sprayed bituminous surfacing (with bitumen emulsion)
 - R116 – Heavy duty dense graded asphalt
 - Other relevant RMS specifications for material and roadworks not covered by above specifications

Note that Council updates its design standards from time to time. It is the obligation of the certifier to ensure all applicable standards are addressed. Copies of the standards can be obtained by contacting Council's Service Manager, Civil Infrastructure. Fees and charges may apply.

Reason: To ensure that works to be dedicated to Council are constructed to Council standards.

34. A design road safety audit is to be carried out by a suitably accredited road safety auditor on the road design and the landscaping design of road 1 to identify any safety issues. All recommended changes to be implemented to the satisfaction of the Principal Certifying Authority.

Reason: To ensure design provides a safer road environment

35. The roundabouts and splitter islands providing access to the development from Road 1 are to be designed to Austroads Guidelines or otherwise to meet the requirements of the road Safety Audit.

Reason: To provide guidance to entering traffic.

36. No pedestrian crossings shall be provided on Road 1.

Reason: No evidence is available to justify the installation.

37. Pedestrian refuge islands to be installed as part of the roundabouts/splitter islands shall be designed such that Council can install a pedestrian crossing at the refuge island in future should they be warranted. The design is to be to relevant standards.

Reason: To provide a safer environment for pedestrians

38. 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 Construction Certificate to the satisfaction of the Principal Certifying Authority.

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

Reason: To ensure appropriate vehicular access is provided.

39. 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 basement to where a pedestrian could reasonably be expected to be walking. This shall be illustrated on plans relevant Construction Certificate and not be compromised by the landscaping, signage fences, walls or display materials. Any such materials may only be permitted if they are less than or equal to 900mm height above the driveway level.

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

40. Prior to the issue of any Construction Certificate relating to works within the road allotment, the applicant shall lodge with Council plans which address the following matters relating to the design and location of traffic facilities:

- a) All line markings and sign postings
- b) Street parking shall be signposted as a maximum of 2 hours
- c) Design of roundabouts
- d) Speed limits shall be determined by Roads and Maritime Services.

Upon receipt Council will forward those plans to for approval by the Parramatta Local Traffic Committee.

Reason: To ensure traffic and pedestrian safety and to satisfy statutory requirements

41. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 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 the relevant Construction Certificate for assessment and approval by the certifying authority.

Reason: To minimise impact on adjoining properties.

42. 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.

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

44. Revised Stormwater Hydraulic plans must be submitted to Council's Team Leader Technical Specialists for approval prior to the issue of the relevant Construction Certificate. These plans must be generally in accordance with the Hydraulic services package, drawing numbers HDA-01 – HDA-10, Revision B, dated 12/09/2017, prepared by Floth, but must incorporate the following changes:

- i. The internal configuration of both OSD tanks must be revised to address the following issues:
- ii.
 - a) The dimensions of the HED chamber within the OSD tanks must be 900x900mm, to comply with the Upper Parramatta River Catchment Trust handbook edition 3. This HED chamber should then have weir and non-return pipe connections to the extended detention chamber.
 - b) The WSUD cartridge chamber must receive runoff up to the 1 in 3 month storm only. It should therefore not contain weirs that would allow higher flows to enter and possibly cause damage.
- iii. The landscape plans show connections between planter subsoil drainage systems and the hydraulic stormwater system. This is noted in the WSUD MUSIC modelling, where drainage through landscaped areas is used for treatment. All connections nominated in the landscape plans must therefore be shown in the hydraulic plans, and soil substrate layers designed for stormwater treatment.
- iv. Rainwater tanks additional to the 40kL noted in the Stormwater management and infrastructure report and considered in the MUSIC modelling are shown on HDA-04. Stormwater connections to these tanks must be shown on the revised hydraulic plans, and pumps installed within the tanks for rainwater reuse.
- v. The stormwater pipeline proposed beneath the private road "Road 3" has no apparent discharge connection. This pipe is also not called up as RCP, which is required beneath a roadway. These issues must be addressed, or the pipe deleted from the hydraulic plans.

Reason: To ensure that the final stormwater system complies with Council controls and engineering best practice.

45. 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 relevant Construction Certificate for any work approved under this application:
- (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the following Stormwater Plans approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code.
 - (i) Stormwater management and infrastructure report, Revision 02, dated 29/05/2017, prepared by AT&L.
 - (ii) Final Stormwater Hydraulic plans approved to satisfy condition 44 above.
 - (b) A Site Storage Requirement of 325 m³/ha and a Permissible Site Discharge of 150 L/s/ha (when using 3rd edition of UPRCT's handbook).
 - (c) 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.
 - (d) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

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

46. 37 Stormfilter (or similar) filtration cartridges and landscape planting beds must be installed to manage the quality and quantity of surface runoff water. Details of the proposed devices and their location must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

47. For the stormwater systems approved by this application which will become Council's asset upon dedication, any plans approved for construction by the certifier must:

- Be consistent with those listed at condition 1 above, and all conditions of this Notice; and
- Satisfy all relevant design standards of the City of Parramatta Council;
- Be subject to all relevant inspections as nominated by the Principal Certifying Authority.

Design Standards

For the stormwater drainage the standards are:

DS20	TYPICAL CROSS SECTION LANEWAYS
DS21	STANDARD KERB INLET PIT (ON GRADE)
DS22	REAR ACCESS PIT
DS23	STANDARD SURCHARGE PIT
DS24 SHT1	GRATED SAG PIT USING PRECAST LINTEL
DS24 SHT2	GRATED SAG PIT USING PRECAST LINTEL WITH 900mm OPENING
DS26 SHT1	STANDARD JUNCTION PIT
DS26 SHT2	HEAVY DUTY JUNCTION PIT

DS25 SHEET 1	SURFACE INLET PIT FOR FOOTPATHS
DS37 SHEET 1	INSTALLATION OF PIPELINES AND RESTORATION OF TRENCHES

Note that Council updates its design standards from time to time. It is the obligation of the certifier to ensure all applicable standards are addressed. Copies of the standards can be obtained by contacting Council's Service manager, Civil Infrastructure. Fees and charges may apply.

Reason: To ensure that works to be dedicated to Council are designed and constructed to Council standards.

48. The provision of utility services to the building shall include dual water reticulation piping (lilac pipes) to enable connection to future recycled water via the Sydney Olympic Park **Water Reclamation and Management Scheme (WRAMS)** or other future Sydney Water recycled water system. Details are to be included in the relevant Construction Certificates.
49. Construction details showing substrate depth, drainage, waterproofing etc., for ground floor and roof top planter boxes are to be provided with an application for the relevant Construction Certificate.

The 'planting on structures' minimum soils depths as nominated in the Apartment Design Guide are to be followed, however shall be increased as necessary to ensure depths reflect the function of the landscape treatment.

Reason: To ensure the creation of functional gardens.

50. **Construction Phase Soil and Water Management Plan**

Prior to the commencement of construction, a construction phase soil and water management plan must be prepared to the satisfaction of the Principal Certifying Authority. This plan must address, but is not limited to, the applicants proposed management strategies for the following issues:

a) *Stormwater management*

All stormwater incident on the construction site must be collected and appropriately disposed of in a manner that does not increase the flood risk for the catchment area or degrade the quality of water being disposed of to Council stormwater infrastructure.

b) *Construction material pollution protection*

During construction, any stockpiled materials and/or construction waste stored onsite is to be isolated from stormwater flow to Council stormwater systems and natural waterways, in order that it not become a pollutant. This is to be achieved with provision of continuous perimeter bunding around waste storage areas, constructed to be of sufficient height and durability to withstand site-specific stormwater conditions and construction activity for the life-cycle of the construction project.

c) *Erosion and sediment control measures*

Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to include, but not be limited to:

- i) Vehicle Wheel wash, cattle grid, wheel shaker or other appropriate device to remove sediment from vehicle wheels.
- ii) A sediment trapping fence, made of a geotechnical textile specifically designed for such a purpose and installed and maintained to manufacturer's

specifications, placed below the disturbed area of the construction site along contours.

- iii) Vegetation is to be maintained on the development site as much as possible, and shall not be cleared from neighboring sites.
- iv) Vehicle access shall be restricted to one designated point, and vehicle driveways are to be adequately covered at all times with blue metal or the like.

All devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary.

d) *Environmental due diligence*

In order to remain compliant with the POEO Act (1997), environmental due diligence must be demonstrated to have been exercised throughout the construction process. To this end, an external, regular environmental management and monitoring system must be proposed, to ensure the integrity of pollution control measures.

e) *De-watering of the excavation cavity*

Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property.

For water accumulated within an excavation to be approved for drainage into Council Stormwater systems, the following discharge water quality standards must be met at all times throughout the construction phase of the development:

- i) pH 6.5-8.5;
- ii) Total Suspended Solids (TSS) 50 mg/l;
- iii) Oil and Grease 'Not visible'.
- iv) If site identified as containing contaminated or acid-sulphate soils, all trace contaminants must be removed from the groundwater prior to disposal.

This may be achieved through the use of a 'WETSEP' system or equivalent, to hold and treat water prior to discharge.

Full plant and equipment details, an operational and monitoring plan and evidence of ability to achieve the required performance must be presented in the final plan.

Reason: Protection of the environment.

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

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

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

Reason: To ensure satisfactory storm water disposal.

52. 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/or de-stressing of the shoring elements. These details shall accompany the application for a Construction Certificate for the. 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.

53. 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 the 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.

54. 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 the relevant Construction Certificate and be to the satisfaction of the Principal Certifying Authority. 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.

55. Construction details showing substrate depth, drainage, waterproofing etc., for ground floor and roof top planter boxes are to be provided with an application for the relevant Construction Certificate.

Reason: To ensure the creation of functional gardens.

56. Council Approvals for Public Domain Works

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 Public Domain Construction Drawings must be submitted and approved by Council's Manager Development and Traffic Services Unit. The drawings shall address the following areas:

- Road #1 road reserve between Hill Road and Road #3;
- Road #3 road reserves between Road #2 (Green Spine) and northern boundary;
- Road #5 road reserve and its extension between Road #1 and northern boundary;
- Pedestrian connections from Road #3 to Sydney Olympic Park;
- All the frontages of the development site between the road reserve boundary and building line, including front setback, forecourt, and planter beds

The final detailed Public Domain Construction Drawings are to be consistent with the DA approved alignment plan, architectural plans and public domain landscape plans, and expect as modified by conditions elsewhere in this Notice.

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

- The latest Parramatta Public Domain Guidelines;
- The DA approved alignment plan set, including fully coordinated alignment layout and levels; and
- All the listed conditions in this consent.

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

57. Matters to be addressed by final Public Domain Construction Drawings

The Public Domain Construction Drawings must be prepared by a qualified landscape architect and civil engineer in accordance with the Public Domain Guidelines Chapter 2 – Public Domain Works Approval Process. The consultants shall contact Council's Urban Design team before finalising the documentation for the latest design standards and material specifications. The final Public Domain Construction Plans to be approved by Council must address the following matters:

(a) Design modifications:

- The information provided in different sets in the Public Domain Construction package shall be **fully coordinated** that include survey, architectural, landscape, engineering, lighting, and stormwater plans.
- The awning on block 3A1 shall only be provided in the location between the western wall of Retail 1 and the eastern wall of Retail 6. The awning shall be a maximum width of 0.5m.
- Any paved area within the property boundaries abutting the road reserves (including Road #3&5) must be flush with the adjoining footpath without any steps or localised level changes.
- Provide pedestrian links along the park edges to connect Road #3 and the Sydney Olympic Park. In this regard the path shall extend from the end of Road #3 to the north eastern corner of the land zoned RE 1.
- Construction details for the proposed irrigation and drainage system in the tree pits, and the permeable pavement on base of 'StrataVault' must be provided in association with certified engineering details.
- Remove dish drain between traffic and parking lanes in Road #3 south and Road #1.

(b) Pavement outside Retail Strip in building 3B1

- The paved setback area outside Retail 1-6 in Block 3B1 must be flush with the adjacent public footpath in Road #1. No steps or localised level changes are permitted in the setback or footpath area.
- The finished levels of the OSD (on site detention) basins below the setback area should be provided in the Public Domain Construction Drawings and be co-ordinated with the proposed finished level in the setback and footpath.
- Porphyry stone finish on a permeable sub-base and 'StrataVault' system shall be used in the tree planting strip; and in-situ concrete finish on the footpath abutting the boundary.

(c) Concrete Footpath

1.8m concrete footpaths paths are acceptable for all street frontages. Construction is to be in accordance with council standard DS3.

(d) Kerb Ramps

Kerb ramps must be designed and located in accordance with Council's design standards (drawing no: DS4).

- All kerb ramps are to be designed and located so they align with the path of travel and with each other in accordance with council standard DS4.
- Provide kerb ramps that are maximum 1.8m in width on the kerb in all locations.

(e) Access Requirements

- Universal design must be provided in accordance with the provisions of AS 1428.1 and the Public Domain Guidelines to all the building entries, including appropriate handrails, landing areas, TGSIs as required for each ramp and stair.
- Ensure that balustrades, handrails, and TGSIs required to accommodate private building or site entries do not protrude into the public domain in any way.

(f) Lighting

- The Public Domain Construction Drawings should include a lighting design for all the streets and public domain areas prepared and certified by a suitably qualified public lighting design engineer.
- All the lighting features proposed in the public domain shall be detailed in the Public Domain Construction Drawings.
- The street lighting level should be meet with applicable lighting sub-category P3 according to AS/NZS 1158.3.

(g) Street Tree Stock & Placement

The required street tree species, quantities and supply stocks are:

Street Name	Botanical Name	Common name	Pot Size	Ave. Spacing
Road #1	<i>Flindersia Australis</i>	Australian Teak	200L	As shown
Road #3	<i>Fraxinus pennsylvanica</i> 'Cimmaron'	Cimmaron Green Ash	200L	As shown
Road #5	<i>Fraxinus pennsylvanica</i> 'Cimmaron'	Cimmaron Green Ash	200L	As shown

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

Container Size	Height (above container)	Caliper (at 300mm)	Clear Trunk Height
200 litre	2.8 metres	60mm	1.5 metres

A copy of the NATSPEC Certificate must be obtained from the nursery where the tree stock is ordered and present to Council Office at the inspection.

(h) Drainage

The base of all tree pits shall incorporate a drainage pipe that connects and drains positively to the street stormwater network.

(i) Planting schedule

To minimise the potential for impacts on nearby bushland, replace 'Liriope muscari' (Giant Lily Turf) with *Dianella careulea* 'Little Jess' (Blue flax-lily);

Reason: To comply with council's standard construction requirements in the public domain, improve accessibility in public domain and comply with AS 1428.1 and facilitate successful street canopy for the future residential community on Carter Street and in accordance with Parramatta City Council aspirations for high density infill development in the LGA.

58. **External walls and cladding flammability**

The external walls of the building including attachments must comply with the relevant requirements of the *National Construction Code (NCC)*. Prior to the issue of a Construction Certificate and Occupation Certificate the Certifying Authority and Principal Certifying Authority must:

- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
- (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

Reason: To ensure public safety.

59. To ensure the design quality of the development is retained:

- (a) The design architect is to have direct involvement in the design documentation, contract documentation and construction stages of the project (including signing off any relevant required certifications at DA, S96 Applications, Construction Certificate and Occupation Certificate stages)
- (b) The design architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of any design issues throughout the life of the project
- (c) Evidence of the design architect's commission is to be provided to the Council prior to release of the Construction Certificate
- (d) The design architect of the project is not to be changed without prior notice and approval of the Council.

- (e) The approved schedule of external materials of construction shall not be altered without the prior approval of council.

Reason: To ensure the design quality excellence of the development is retained.

60. Prior to any Construction Certificate being issued for works at the ground floor level of any building, the applicant must lodge with council a development application for the following scope of works:

- a) Site works to create finished levels of the public park on the RE1 zoned land within Lot 13 DP 1217641, including any required drainage controls and turfing of that land to allow for its immediate use.
- b) Dedication, free of cost, of the RE1 zoned land to land to council.

Any works approved under that application must be completed prior to the issue of any Occupation Certificate (Interim or Final) for any of the buildings approved under DA 1005/2016.

PRIOR TO WORKS COMMENCING

61. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate(s) 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(s) when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

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 98 A (2) of the Environmental Planning and Assessment Regulations 2000 detailing:

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

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

This condition does not apply where works are being carried.

Reason: Statutory requirement.

64. 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.

65. Prior to the commencement of work, a registered surveyor is to undertake a set out survey to identify the location of all footings, slabs, posts and walls adjacent to a boundary. This is to ensure the development when complete, will be constructed wholly within the confines of the subject allotment, and will be consistent with boundary setbacks as shown on the approved plans. 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.

66. 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 prior to any excavation occurring.

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

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

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

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

- (a) An overall construction management program;
- (b) Construction traffic management;
- (c) Construction zones;

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

All work must be undertaken in manner consistent with the terms of this Plan.

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.

69. Prior to the commencement of any works on site, the applicant must submit a Construction Traffic Management Plan for endorsement by the City of Parramatta Council. The following matters must be specifically addressed in the Plan:

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

- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of any proposed 'Works Zone' restriction to the 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 RMS concurrence where construction access is provided directly or within 20 m of an Arterial Road,
- (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
- (iii) Minimising construction related traffic movements during school peak periods,

The Construction 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.

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

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

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

71. 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 to 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.

- 72. 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.

- 73. 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.

74. 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.

75. 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.

76. Street trees adjoining the site shall be protected prior to and during the construction process. Tree protection measures are to be installed and maintained under the supervision of an Australian Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 - "Protection of Trees on Development Sites".

Reason: To ensure trees are protected during construction.

77. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:
- (a) expected volumes and types of waste to be generated during the demolition and construction stages of the development;
 - (b) destination of each type of waste, including the name, address and contact number for each receiving facility.

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

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

78. Schedule of Council inspections

Prior to the commencement of any works in the Public Domain or on any asset that will be handed over to Council to maintain, the consent holder must arrange for a schedule of inspections to be carried out by Council's Civil Infrastructure Unit.

The required Council inspections include (but are not necessarily limited to) the following where applicable and apply to all **Council** and **privately certified** projects.

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

Defects

Any defects raised by Council officers during the above construction and defects period inspections will be notified in writing. Defects may include incorrect location of elements, unsatisfactory construction techniques or finishes, or any other non-compliances with the approved plans and specifications or the public domain guidelines.

All defects raised by Council's officer during the construction period or defects liability period need to be rectified prior to and signed off at the final defects inspection by Council's officer in order to achieve Occupation Certification. This applies to both Council and privately certified projects.

In addition, **all** construction works for stormwater systems to be handed over to Council must:

- 1. **Prior to issue of a construction certificate** have a full set of plans stamped and approved by Council's Service Manager Civil Infrastructure; and
- 2. Be inspected by Council's Catchment Management team in line with the schedule of inspections agreed to with Council **prior to any works commencing**

Inspection of the works will be required (but not necessarily limited to) on the following stages:

- Construction of the stormwater pipe prior to backfilling of trench
- Construction of formwork to any drainage pits(s) prior to placement of concrete.
- Construction of any formwork to concrete pavement, footpath, driveway, kerb & gutter etc. and prior to placement of concrete.

The stormwater drainage work is to comply with all other Special Notes – Conditions of Approval on Council stamped and approved drawings.

Note: Inspections for all public domain and/or stormwater works must be booked **at least 24 hours** in advance by calling Council's Civil Infrastructure Unit on 9806 8250

Reason: To ensure compliance.

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

Reason: To ensure adequate stormwater infrastructure is provided.

80. For the road network approved by this application that will become Council's asset upon dedication, prior to works commencing, the developer must submit a Pavement Design report to Council's Service Manager Civil Infrastructure for approval.

The report must include the proposed pavement structure, discussion of each element of the pavement design system shown in Figure 2.1 of Austroads' Pavement Design Guide (project reliability, construction and maintenance considerations, environment, subgrade evaluation, pavement materials and design traffic), all background data (e.g. traffic surveys and studies, geotechnical investigation, field and laboratory testing etc.), assumptions and calculations in the design process and nominated construction specifications.

For road pavements the design standards are:

- Specification 0042 (published by NATSPEC); and
- Austroads' Guide to Pavement Technology Part 2: Pavement Structural Design

For road pavements the construction standards are:

- If design traffic is less than 10^5 ESA – AUS SPEC specifications (published by NATSPEC)
 - 1141 – Flexible Pavements
 - 1143 – Sprayed bituminous surfacing
 - 1144 – Asphaltic concrete (Roadways)
 - Other AUS SPEC specifications for the work not covered by above specifications
- If design traffic is equal or higher than 10^5 ESA – RMS Specifications
 - 3051 – Granular Base And Subbase Materials For Surfaced Road Pavements
 - R71 – Unbound and modified pavement course
 - R73 – Construction of plant mixed heavily bound pavement course
 - R83 – Concrete pavement base
 - R106 – Sprayed bituminous surfacing (with cutback bitumen)
 - R107 – Sprayed bituminous surfacing (with polymer modified bitumen)
 - R111 – Sprayed bituminous surfacing (with bitumen emulsion)
 - R116 – Heavy duty dense graded asphalt

- Other relevant RMS specifications for material and roadworks not covered by above specifications

In addition, the Pavement Design report must address the following matters:

- a. Kerbing notes on Drawing DAC002 Issue D should be revised so that they comply with Council's standard drawings DS1.
- b. Details of various types of kerb and gutters, vehicular crossing and dish drain must be revised to comply with Council's standards
- c. The applicant will be required to provide all test results to show that the pavement has been constructed as required by the Specifications.
- d. It is required to construct subsoil drainage system to prevent ingress of water from higher ground to the road subgrade and pavement layers. Subsoil drainage to be provided for the full length of roads on both sides wherever the road section is in cutting and where water ingress from adjacent ground is likely to occur. The subsoil drainage should be shown on Drawings including details of critical points (e.g. flushing point, connection to stormwater system etc.)

DURING WORKS

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

Reason: To ensure compliance with this consent.

82. For the works that will become Council's asset upon dedication, each **HOLD POINT** defined by Specifications must be witnessed and released by the Principal Certifying Authority before the construction work can continue to the next stage.
The developer must submit test results required by each Specification prior to handover to Council to show that the constructed road pavements comply with specification requirements, especially in terms of material properties, levels, layer thicknesses and density ratios.

Reason: To ensure that works to be dedicated to Council are constructed to Council standards.

83. For the works that will become Council's asset upon dedication, those works shall be completed to ensure the following requirements of City of Parramatta Council are satisfied, as required by:

- Compliance with specifications as noted at conditions 33 and 47.;
- Compliance with the approved Road Pavement Design report as noted at condition 80.;
- Compliance with the schedule of inspections as required by conditions 80 and 106;
- Compliance with each Hold Point as required by condition 82.

84. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Council's Guidelines for Controlling Dust from Construction Sites and Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

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

Reason: To ensure pedestrian access.

86. Occupation of any part of an existing public 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 works.

Reason: To ensure proper management of Council assets.

87. 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 the City of Parramatta LGA.

Reason: To ensure maintenance of Council's assets.

88. The applicant must not enter or undertake any work within any adjoining public parks or reserves without the prior written consent of Council.

Reason: Protection of existing public infrastructure and land and to ensure public safety and proper management of public land.

89. 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.

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

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

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

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

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

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

Reason: To protect the amenity of the area.

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

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

93. Water features must be assessed against relevant legislation and fenced/treated if necessary in accordance with provisions of the National Construction Code (2013) together with the referenced Australian Standard AS1926 Parts 1 and 2 (2007), prior to the filling of the pool with water.

The fence shall be installed to the satisfaction of the Principal Certifying Authority.

Reason: To comply with the Legislative requirements.

94. 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.

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

Reason: To ensure appropriate disposal of asbestos materials.

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

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

97. 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.

98. 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.

99. 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.

100. During construction of all public area civil and drainage works a qualified civil engineer must supervise the relevant 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.

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

Reason: Protection of existing environmental infrastructure and community assets.

102. All trees planted as required by the approved landscape plan are to be a minimum 45 litre container size. All shrubs planted as part of the approved landscape plan are to have a minimum 200mm container size.

Reason: To ensure appropriate landscaping.

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

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

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

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

104. Rectification of defects – Public domain works

Any defects raised by Council officers during the above construction and defects period inspections will be notified in writing. Defects may include incorrect location of elements, unsatisfactory construction techniques or finishes, or any other non-compliances with the approved plans and specifications or the public domain guidelines.

All defects raised by Council's officer during the construction period or defects liability period need to be rectified prior to and signed off at the final defects inspection by Council's officer in order to achieve Occupation Certification. This applies to both Council and privately certified projects.

Reason: To ensure any defects are rectified.

105. Street Tree Placement & Tree Pit

The street trees must be planted in accordance with Council's design standard (DS 39).

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

106. **Prior to the commencement** of any works in the Public Domain or on any asset that will be handed over to Council to maintain, the consent holder must arrange for a schedule of inspections to be carried out by Council's Civil Infrastructure Unit.

The required Council inspections include (but are not necessarily limited to) the following, where applicable, and apply to all Council and privately certified projects.

- Commencement of public domain works including tree protection measures installed and set out of tree pits;
- Subgrade and formwork 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 base completion and initial (indicative) setout of pavers, street fixtures and fittings as applicable to ensure compliance with the requirements of the public domain guidelines;
- Delivery of street trees to site. Trees shall be installed within 24hrs of delivery; The contractor shall provide Council Officer the NATSPEC certificate during the inspection to prove the quality of the tree stock.
- Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation/street trees and location of fixtures and fittings

Note 1: Additional daily inspections by Council officers may occur to view progressive paving set out and construction depending on the project size and type.

Note 2: Inspections for all public domain and/or stormwater works must be booked at least 24 hours in advance by calling Council's Civil Infrastructure Unit on 9806 8250.

PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE

107. Occupation or use of the building or part is not permitted until Occupation Certificate(s) have been issued in accordance with Section 109H of the Environmental Planning and Assessment Act 1979.

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

108. 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 760624M_02 will be complied with prior to occupation of the relevant stage of development.

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

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

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

Reason: To comply with the requirements of SEPP 65.

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

- (a) Accessibility Design Review by ABE Consulting (Ref: 6341 dated 6 September 2017)

(b) Waste Management Plan by Elephants Foot (Rev C, dated 13 October 2016)

(c) BASIX Certificate 760624M_02

Reason: To ensure a suitable level of residential amenity.

111. Prior to the issue of any Occupation Certificate(s) (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority that design and construction of the buildings will achieve the recommended noise criteria in section 4.6 of the Carter Street Precinct Development Control Plan 2016, being:

- Living and working areas: 40 dBA(Laeq)

- Sleeping areas: 35dBA (Laeq)

Reason: To ensure a suitable level of amenity for residents.

112. Certification must be provided prior to the issue of the relevant Occupation Certificate(s) 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 the DCP.

113. Prior to the issue of the any Occupation Certificate(s), the following management plan is to be submitted to Council for approval:

- (a) A Travel Plan, as nominated in the Traffic and Transport Assessment by Arup (dated 18 October 2016) is to be submitted to Council, supported by details of how that Plan will be implemented.

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

114. Prior to the issue of the relevant Occupation Certificate(s), the developer is to provide evidence that satisfactory arrangements have been made for the provision of broadband access to the development.

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

115. Prior to issue of any Occupation Certificate (Interim or Final) the applicant shall enter into a commercial contract for the collection of all residential and trade wastes, including recyclable materials. A copy of all-waste contracts and receipts shall be kept on site and made available to Council officers on request.

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

116. Prior to the issue of the relevant Occupation Certificate(s) the following measures shall be installed to address CPTED considerations:

- (a) The applicant shall install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the buildings. The cameras must include the foyer area to the buildings including areas around the mail boxes. CCTV cameras should also cover any communal areas, lifts, public spaces and the basement car parks. Recordings should be made twenty four (24) hours a day seven (7) days a week. The time and date must automatically be recorded on all recordings made whilst it is recording. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed;

- (b) Intercom facilities should be incorporated into entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development;

- (c) Letterboxes shall be provided with locks; and

- (d) Fire exit doors to the development shall be fitted with single cylinder locksets (Australia and New Zealand Standard - Lock Sets) to restrict unauthorized access to the development.

Reason: To comply with CPTED requirements.

- 117. Prior to the issue of the first Occupation Certificate (Interim or Final) the developer must provide Council with a schedule of individual unit/street numbers as displayed within the development for identification purposes. The numbering sequence must be in accordance with the street numbering approval letter issued by Council.

Reason: To ensure developments are appropriately numbered.

- 118. Street number(s) for each building and retail tenancy (as appropriate) are to be placed on the site in a readily visible location from a public place prior to the issue of the relevant Occupation Certificate. The numbers are to have a minimum height of 75mm.

Reason: To ensure a visible house number is provided.

- 119. The developer must submit to the Principal Certifying Authority a letter from provider authorised under the Telecommunications Act 1997 confirming satisfactory arrangements have been made for the provision of telephone and cable television services, prior to the release of the any Occupation Certificate.

Reason: To ensure provision of appropriately located telecommunication facilities.

- 120. 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 any Occupation Certificate.

Reason: To ensure appropriate electricity services are provided.

- 121. The following conditions shall be complied with:

- (a) For safety, and if applicable, access to the water features must be restricted by fencing or other measures as described by the Swimming Pools Act 1992, the Swimming Pool Regulation 2008, and Australian Standard AS1926 Parts 1 and 2 - 2007. The fencing or other measures must be completed prior to any water being placed in the pool.

- 122. Prior to the issue of any Occupation Certificate an intercom system must be provided in a convenient location adjacent to the visitor parking entry.

Reason: To ensure convenient access is available for visitors to the building.

- 123. 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.

Any 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.

124. 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 any 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 require rectification of all instances of damage.

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

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

125. 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(s) 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 relevant 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.

126. Prior to the issue of the relevant Occupation Certificate(s) 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.

127. Prior to issue of the relevant Occupation Certificate(s), the applicant must create a Positive Covenant and Restriction on the Use of Land, prepared in accordance with Section 88B of the Conveyancing Act 1919, burdening the owner of the allotment with the requirement to maintain the on-site rainwater harvesting, bio-retention and water quality treatment facilities.

The terms of the instruments are to be to Council's satisfaction, and based on Council's standard wording for 88E instruments.

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

Reason: To ensure that appropriate protective instruments are put in place for the water quality management system.

128. 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.

129. Separate consent, either via a development application or a Complying Development Certificate if appropriate, shall be obtained for any subdivision of the buildings.

Reason: To comply with the requirements of the Environmental Planning and Assessment Act 1979 (as amended).

130. A qualified Landscape Architect/Designer must certify that the completed works, in both the public domain and on each development site, are in accordance with the relevant approved landscape plans/public domain plans.

Reason: To ensure restoration of environmental amenity.

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

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

133. **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.

134. A half year (26 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 that specifies at 26 weeks after Council's final approval how and who to maintain the public domain works.

135. Prior to the issue of any Occupation Certificate, a bond of \$50,000 shall be lodged with council.

The purpose of the bond is to ensure the Hill Road entry to Road 1 within this development is modified to only allow for left in/left out traffic movements once the intersection of John Ian Wing Parade/Hill Road Lidcombe is modified to allow for the connection of Carter Street DCP Road No. 2 with Hill Road, and is operational.

All relevant approvals must be obtained by the applicant prior to completing the works.

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/1005/2016;
- (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.

136. Prior to the first Occupation Certificate (interim or final) the applicant is to submit written evidence to Council demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service.

Where agreement for a car share space is secured the following requirements apply:

- The car share vehicle must be provided with a designated on street parking space, the location and details for which must be subject to the prior approval of Council's Local Traffic Committee; and
- Payment of any adopted fees and charges which may be in place at that time.

Where an on street parking space is approved, that parking space and payment of any fees must be made prior to the issue of the first Occupation Certificate (Interim or Final).

PRIOR TO THE ISSUE OF A SUBDIVISION CERTIFICATE

137. A separate application must be made for a Subdivision Certificate. That Certificate will not be issued the conditions below are satisfied.

The plan of subdivision lodged with the Subdivision Certificate application must remove the (R) notation from Lot 5.

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

138. All required traffic facilities approved by the Parramatta Local Traffic Committee, must be installed and completed prior to the issue of a Subdivision Certificate and also prior to the issue of any Occupation Certificate.

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

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

- (e) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
- (f) Approved verses installed Drainage Design (OSD) Calculation Sheet.

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

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

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

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

141. 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 the Subdivision Certificate.

Reason: To ensure appropriate electricity services are provided.

142. All works intended to be dedicated to Council, including roads, footpaths, drainage, lighting, furniture and other landscape treatments shall be designed and constructed to Council's specifications, standards and reasonable satisfaction of Council's Service Manager, Civil Infrastructure, prior to release of the Subdivision Certificate.

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

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

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

- (c) Council's Development Application number; and
- (d) 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.

145. The applicant shall provide an Instrument under the relevant sections of the Conveyancing Act 1919, to the satisfaction of council. The Instrument shall detail all Positive Covenants, Restrictions on the Use of the Land and Easements as necessary, and to address the following matters:

- a) Show rights of way or easement for all footpaths, private roads 3 and 5, the pedestrian paths connecting to the RE1 land, the pedestrian footpath at the northern

edge of buildings 3B1 and 3B2, and all land zoned RE1, to ensure 24 hour public access.

- b) Show rights of way or easements to facilitate the future construction of a new road connecting Roads 3 and 5, and a future extension of Roads 3 and 5 to the boundary of the Sydney Olympic Park precinct.
- c) Show all rights of way or easements for all basement levels to allow for private and public vehicle access, including service vehicles.
- d) Easements for all services.
- e) All other matters as nominated in this consent.

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

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

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

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior

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

THE USE OF THE SITE

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

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

Reason: To prevent loss of amenity to the area.

147. 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.

148. The air conditioner/s must not emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):

- (a) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
- (b) before 7.00am and after 10.00pm on any other day.
- (c) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those specified in (i) and
- (d) above, which exceeds the background (LA90, 15 minute) by more than 5dB(A).

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

Reason: To prevent loss of amenity to the area.

149. Trade waste water shall be disposed of in accordance with the permit requirements of Sydney Water Corporation Ltd, Wastewater Source Control Branch.

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

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

Reason: To ensure provision of adequate waste disposal arrangements.

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

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

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

Reason: To ensure waste is adequately stored within the premises

153. All landscape works shall be maintained for a minimum period of 12 months following the establishment on an Owners Corporation or the issue of a Final Occupation Certificate, whichever occurs first, in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

154. The retail premises approved by this application shall be limited as follows:

- a) No use shall commence until a separate prior approval has been issued.
- b) Uses shall be limited in accordance with the definition of 'neighbourhood shops' and clause 5.4 of Auburn LEP 2010.
- c) Hours of operation shall be limited to 7.00 am to 7.00 pm Monday to Saturday and 9.00 am to 4.00 pm on a Sunday or a public holiday.

ADVICE

- A. The applicant shall ensure it has obtained all necessary approvals from Ausgrid regarding relocation of any of its affected assets.
- B. All future roads on the site (Lot 13 DP 1217641) must be public roads dedicated to council. All roads must be clear of basements or other encroachments associated with future buildings.
- C. The location of any future roads within Lot 13 DP 1217641 must be consistent with the intent of the street network pattern within the Carter Street Development Control Plan relative to Nos 1-5 Hill Road Sydney Olympic Park, and otherwise to the satisfaction of Council.
- D. This consent does not grant approval for the alignment of design/construction details for future Road 2 and its connection with the future RMS intersection upgrade at John Ian Wing Parade and Hill Road, Lidcombe.