



SYDNEY CENTRAL CITY PLANNING PANEL

COUNCIL ASSESSMENT REPORT

Panel Reference	2017SWC041
DA Number	DA/158/2017
LGA	City of Parramatta
Proposed Development	Amalgamation of three (3) allotments, demolition of existing structures and construction of a child care centre with 99 child places and associated car parking with 25 car parking spaces. The application will be determined by the Sydney Central City Planning Panel.
Street Address	49 North Rocks Road (Lot 12 DP 22931); 51 North Rocks Road (Lot 13 DP 22931); and 2 Speers Road (Lot 118 DP 23173), North Rocks, NSW 2151
Applicant/Owner	Angsana Range Pty Ltd (Applicant)/ Mr Q D Nguyen and Mrs C C T N Nguyen (Owner)
Date of DA lodgement	1 March 2017
Number of Submissions	Advertising period: 13 unique submissions including 1 petition with 68 signatures from 50 households and 12 individual submissions; and Re-advertising period: 19 individual submissions
Recommendation	Deferred Commencement Approval
Regional Development Criteria (Schedule 4A of the EP&A Act)	Private infrastructure and community facilities with Capital Investment Value (CIV) in excess of \$5 million. The proposed development has a CIV of \$6,564,800.
List of all relevant s79C(1)(a) matters	Environmental Planning and Assessment Act 1979; Environmental Planning and Assessment Regulation 2000; SEPP 55 - Remediation of Land; SEPP (Infrastructure) 2007; SEPP (Vegetation in Non-Rural Areas) 2017; SEPP (State and Regional Development) 2011; SEPP (Educational Establishments and Child Care Facilities) 2017; The Hills Local Environmental Plan 2012; The Hills Development Control Plan 2012.
List all documents submitted with this report for the Panel's consideration	Architectural Plans; Stormwater Plans; Landscape Plan; Statement of Environmental Effects and supplementary planning response letters; Operational Plan; Acoustic Report; Stormwater Management Report; and Traffic and Parking Impact Assessment Report. Documents submitted following deferral recommendation: Applicant response letter to deferral matters;

	Amended landscape and deep soil areas plan; Proposed intersection roundabout traffic option; Proposed seagull intersection traffic option; and Revised table of staff and children arrival/departure schedule.
Report prepared by	Sohini Sen, Senior Development Assessment Officer
Report date	18 July 2018

Summary of s79C matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

Yes

Legislative clauses requiring consent authority satisfaction

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

Yes

e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

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

Not Applicable

Special Infrastructure Contributions

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

No

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

Conditions

Have draft conditions been provided to the applicant for comment?

Yes

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



ADDENDUM ASSESSMENT REPORT Environmental Planning & Assessment Act 1979

SUMMARY

Addendum to DA No:	DA/158/2017 (SCCPP Ref: 2017SWC046 – original assessment report dated 28 March 2017 to SCCPP)
Property:	49 North Rocks Road (Lot 12 DP 22931); 51 North Rocks Road (Lot 13 DP 22931); and 2 Speers Road (Lot 118 DP 23173), North Rocks, NSW 2151
Proposal:	Amalgamation of three (3) allotments, demolition of existing structures and construction of a child care centre with 99 child places and associated car parking with 25 car parking spaces. The application will be determined by the Sydney Central City Planning Panel.
Date of receipt:	1 March 2017
Applicant:	Angsana Range Pty Ltd
Owner:	Mr Q D Nguyen and Mrs C C T N Nguyen
Property owned by a Council employee or Councillor:	The site is not known to be owned by a Council employee or Councillor
Political donations/gifts disclosed:	None disclosed on the application form
Submissions received:	Advertising period: 13 unique submissions including 1 petition with 68 signatures from 50 households and 12 individual submissions; and Re-advertising period: 19 individual submissions
Recommendation:	Approval
Assessment Officer:	Sohini Sen

Legislative requirements

Zoning:	R3 Medium Density Residential pursuant to The Hills Local Environmental Plan 2012.
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Other relevant legislation/state environmental planning policies (SEPP)/policies:	Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, SEPP 55 - Remediation of Land, SEPP 64 - Advertising and Signage, SEPP (Infrastructure) 2007, SEPP (Vegetation in Non-Rural Areas) 2017, SEPP (State and Regional Development) 2011, SEPP (Educational Establishments and Child Care Facilities) 2017, and The Hills Local Environmental Plan 2012.
Planning Controls & Policies	Parramatta Section 94A Contributions Plan 2017 (Former Hills LGA Land), The Hills Development Control Plan 2012, Policy for the handling of unclear, insufficient and amended development applications.
Heritage / Heritage Conservation Area	No
Integrated development	No
Designated development	No
Crown development	No
Delegation	Sydney Central City Planning Panel (SCCPP)

EXECUTIVE SUMMARY

Council provided the original assessment report to the Sydney Central City Planning Panel, which was considered at the public meeting of 2 May 2018.

The application proposed amalgamation of (3) allotments, demolition of existing structures and construction of a child care centre to accommodate 99 children with associated car parking on land at 49 and 51 North Rocks Road and 2 Speers Road, North Rocks.

The bulk, and scale of operation of the child care centre sought exceeded that envisaged for the site, particularly having regard to the accommodation of car parking generated by the use on site; setback to adjoining properties; privacy impacts resulting from the location and number of children within external play areas; site coverage; and landscaped area capable of deep soil planting. The application was originally recommended for refusal as it was considered that the proposal was inconsistent with the aims and relevant clauses of The Hills Local Environmental Plan 2012 and The Hills Development Control Plan 2012.

At the Sydney Central City Planning Panel meeting, the Panel deferred the determination of the application and resolved the following at that meeting:

In relation to traffic issues, the Panel notes the detailed response provided by Mr Heal and believes that the traffic issues may be capable of resolution and perhaps significant improvement.

- 1. In relation to parking, the Panel notes the proposal's compliance with generally accepted standards but believes further information and operational detail is needed to confirm this.*
- 2. In regard to built form and landscaping, the Panel notes that the proposed Floor Space Ratio is relatively low and that a medium density residential development (the principal permissible use in the area) would be higher. However, the Panel believes there is capacity for more deep soil landscaping.*

3. *Therefore, the Panel believes that refusal of the application is not warranted at this time and defers a decision pending submission of further information as follows:*
- *The applicant is to confer with Council's traffic engineer about the design of the intersection on North Rocks Road and actions to improve line of sight along Speers Road. In principle agreement from Council's engineer should be sought.*
 - *The applicant is to confirm staff numbers, roles and scheduling arrangements, and drop-off and departure details for children.*
 - *The applicant is to examine opportunities to increase development setback along North Rocks Road to expand area of deep soil landscaping.*
 - *The applicant is to examine and report on potential to provide a footpath adjoining Speers Road.*
 - *Council is to prepare a supplementary report on the above issues that includes draft conditions.*
4. *After the above information is received, the Panel will hold another public meeting to determine this application.*

Below is a supplementary report which assesses the proposal against the above requirements and includes draft conditions of consent as requested by the Panel.

PROPOSED DEVELOPMENT

A detailed summary of the proposal is provided in the original assessment report.

Following the SCCPP panel meeting held on 2 May 2018, the applicant has provided the following plans and documents:

- A response letter to the deferral matters;
- An amended landscape and deep soil area plan showing proposed pedestrian footpath;
- Proposed roundabout and seagull intersection plan;
- Amended stormwater plans; and
- Additional schedule to the submitted Operational Plan of Management detailing staffing arrangements and numbers.

ASSESSMENT OF DEFERRED MATTERS

1. Meeting with Council's Traffic Engineer regarding the design of the intersection on North Rocks Road and improvement of line of sight along Speers Road with in principle agreement sought

On 31 May 2018, a meeting was held between Council's Service Manager Traffic and Transport and the applicant along with their representatives.

Discussions focussed on the potential intersection treatment of North Rocks Road and Speers Road where the applicant presented Council with two intersection treatments, a roundabout and a seagull intersection. Council's Service Manager Traffic and Transport agreed that Council's preferred intersection treatment would be that of a roundabout and noted that a roundabout could utilise part of the road verge to ensure sufficient manoeuvring

room is provided. A roundabout at the subject intersection would improve traffic safety and sightlines in and out of Speers Road.

Council has reached an in-principle agreement regarding the proposed roundabout at the intersection of North Rocks Road and Speers Road, noting that any proposed intersection treatment would be subject to approval from Council's Traffic Engineering Advisory Group and would be required to be considered at a separate meeting. As such, a condition of consent is recommended to ensure that the intersection treatment considered by Council's Traffic Engineering Advisory Group and any recommendations adhered to prior to the issue of a Construction Certificate.

Council considers that this matter has now been resolved with respect to the Panel's previous comments and subject to the recommended conditions of consent.

2. Confirmation of staff numbers, roles and scheduling arrangements and drop-off and departure details for children

Council has received a written response from the applicant addressing the Panel's request for further details with regards to the staff numbers, roles and scheduling arrangements, and drop-off and departure details for children.

The applicant has provided the following details:



Schedule 1

TYPICAL DAY ARRIVAL and DEPARTURE SCHEDULE for ANGSA ELC

Time of arrival and departure	Role	Total number of staff on site according to time	Total number of children on site (estimated) according to time
6.30 - 6.45 am	2 Educators arrive and open the EL Centre	2	0
7 am	2 Educators arrive ELC opens	4	
From 7 am staggered arrivals	Parents and children arrive		25% approximately. 24/25 children approximately
8 am	4 Educators 1 Chef arrive	9	
8 am Staggered arrivals	Parents and children arrive		50% approximately. 49/50 children approximately
9 am	1 Director 5 Educators arrive	15	
9 am Staggered arrivals	Parents and children arrive		75% approximately. 74/75 children approximately
10 am	5 Educators arrive	20	
10 am Staggered arrivals	Parents and children arrive		100% approximately 99 children approximately
11 am		20	100% approximately
12.00 noon		20	100% approximately
1 pm		20	100% approximately
2 pm		20	100% approximately
2.45 pm	2 Educators depart	18	
3 pm	2 Educators depart	16	



Time of arrival and departure	Role	Total number of staff on site according to time	Total number of children on site (estimated)
3 pm Staggered departures	Parents and children depart		75% 74/75 children approximately
4 pm	4 Educators 1 Chef depart	11	
4 pm Staggered departures	Parents and children depart		50% 49/50 children approximately
5 pm	1 Director 5 Educators depart	5	
5 pm Staggered departures	Parents and children depart		25% 24/25 children approximately
6 pm	All parents and children depart		0%
6 pm	5 Educators depart ELC closes	0 Centre closed Zero staff on site	0 children Centre closed Zero children on site. <i>As per duty of care, ACECQA and ECEC regulations any children remaining at the early learning centre after 6 pm will remain in the care of 2 Educators who will stay with the child/children until that child is picked up or alternate arrangements are made for care.</i>
Total Staff Number	20		

Note 1: Arrival and departure times for children are estimates only calculated on indicative peak data. Parents are always free to drop off and pick up children at their convenience during operating hours.

Note 2: Adult-child ratios are maintained at all times children are present in the ELC, in accordance with ACECQA and regulatory requirements.

Figure 1: Schedule of staff numbers, roles and arrival/departure times, and children drop-off and pick up times.

The submitted documentation states that a total of 20 educators will be present at any one time. Figure 1 above (submitted by the applicant) indicates that staff arrivals and departures will be staggered between 6:30am to 10:00am and 2:45pm to 6:00pm. Children arrivals and departures are also staggered between these hours.

The submitted documentation provides clarification regarding the staffing numbers and operational aspects of the development with regards to staffing and children arrivals/departures. The applicant's Traffic Engineer has reviewed this documentation and confirms that the 25 car parking spaces provided are sufficient to accommodate staff and visitors to the centre. While the proposed car parking spaces are short of the required spaces under the Hills Development Control Plan 2012, the proposed parking provisions are consistent with RMS guidelines and are satisfactory given the staggered arrivals and departures of staff and visitors to the child care centre.

Council considers that this matter has now been resolved with respect to the Panel's previous comments and subject to compliance with the submitted Operational Plan of Management.

3. Increased development setback along North Rocks Road to increase deep soil landscaping

The applicant has submitted and amended deep soil landscaping plan following the Panel's recommendation. Consideration of an increased setback from the North Rocks Road boundary has been undertaken by the applicant and due to the slope of the site and sight distance requirements, an increased setback along this boundary for the purpose of deep soil planting is not feasible. The proposal has been amended to reduce portions of the basement head height to 2100mm in order to increase the amount of landscaped areas capable of deep soil planting. Three 2035mm deep planter boxes are now proposed long the North Rocks Road frontage of the site, capable of accommodating 8m³- 11m³ of soil and are proposed to accommodate three Broad Leaved Scribbly Gum trees that will grow to a mature height of approximately 6 metres. The proposed additional tree planting will assist in providing a landscaped setting along this frontage.

The amended proposal does not provide a compliant deep soil/landscaping area as required under Part B, Section 4, Section 3.7 of the Hills DCP 2012 which requires a minimum of 30% of the site area to be landscaped. The amended proposal provides 20.3% of landscaped area suitable for deep soil planting. Notwithstanding, it is noted that the proposed development provides for landscaped areas that although do not meet the dimensions of 2m x 2m and capable for mature tree planting, are capable of planting that will provide a satisfactory relationship between the buildings on the site and to adjoining developments. In this respect, the proposal meets the landscaping objectives of the DCP.

Given the sloping site topography and location at the intersection of North Rocks Road and Speers Road, the site is constrained and further opportunities to create deep soil areas for tree planting along the North Rocks Road frontage are not possible. A variation to the DCP control is considered satisfactory as the proposal provides adequate areas of landscaping noting the requirement to provide sufficient sightlines for vehicles entering and exiting this intersection.

Council considers that this matter has been satisfactorily addressed with respect to the Panel's previous comments and subject to the proposed planting within the submitted Landscape Plan.

4. Provision of pedestrian footpath adjoining Speers Road

The applicant has submitted amended plans showing a pedestrian footpath to be provided adjacent to the site. The footpath has been designed in accordance with Council's standard footpath requirements. Council's Civil Assets department has reviewed the proposal and advises that provision of a footpath along this side of Speers Road is inconsistent with Council's forward plan for footpath construction in Speers Road and the preferred side is opposite to No. 2 Speers Road.

Notwithstanding, provision of a pedestrian footpath adjacent to the development site would improve pedestrian amenity for visitors to and from the child care centre. As these works do not form part of Council's footpath construction plan, any costs associated with the construction of this footpath would be borne by the applicant.

FURTHER MATTERS FOR CONSIDERATION

Previous reasons for refusal with regards to insufficient information

Included in Council's reasons for refusal presented at the Panel meeting on 2 May 2018 were reasons relating to insufficient stormwater information as outlined below:

Stormwater

1. Insufficient information is submitted demonstrating that the outflow from the proposed OSD system is able to manage stormwater runoff as the levels on the submitted stormwater plans are inconsistent with the levels on the corresponding architectural and landscape plans, and as cross-sectional details and OSD system details are insufficient.
2. Insufficient information is submitted demonstrating how the proposed rainwater tank volume will manage subsequent storm events once the tank has been filled by a preceding storm.
3. Insufficient information is submitted demonstrating that the pollutant removal efficiency adopted in the **Model** for Urban Stormwater Improvement Conceptualisation (MUSIC) is adequate.
4. Insufficient information is submitted demonstrating that the proposed "Stormstack" is an efficient water quality treatment device as indicated in the **Model** for Urban Stormwater Improvement Conceptualisation (MUSIC).

The applicant's engineer has provided further clarification and information on the matters above and Council's Development Engineer has reviewed this information and considers that some matters remain to be addressed but can be dealt with via a Deferred Commencement consent. Relevant engineering conditions are included within the draft conditions of consent.

CONCLUSION

The application has been amended to address the Panel's resolution of 2 May 2018.

Based on the contents of this report, the matters for deferral raised by the Panel during the meeting of 2 May 2018 have been satisfactorily addressed and as such, it is recommended that the Sydney Central City Planning Panel (SCCPP) approve the application subject to the attached conditions of consent.

The reasons for approval are:

1. The development is permissible in the R3 zone and satisfies the requirements of all of the applicable planning controls;
2. The development will be compatible with the emerging and planned future character of the area as a medium density residential area;
3. For the reasons given above, approval of the application is in the public interest.

OFFICER RECOMMENDATION

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979:

- i. That SWCPP as the consent authority grant development consent to DA/158/2017 for amalgamation of three (3) allotments, demolition of existing structures and construction of a child care centre with 99 child places and associated car parking with 25 car parking spaces at 49 North Rocks Road (Lot 12 DP 22931); 51 North Rocks Road (Lot 13 DP 22931); and 2 Speers Road (Lot 118 DP 23173), North Rocks, NSW 2151 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the attached conditions of consent.

The reasons for the conditions imposed on this application are as follows:

1. To facilitate the orderly implementation of the objectives of the Environmental Planning and Assessment Act 1979 and the aims and objectives of the relevant Council Planning instrument.
2. To ensure that the local amenity is maintained and is not adversely affected and that adequate safeguards are incorporated into the development.
3. To ensure the development does not hinder the proper and orderly development of the subject land and its surrounds.
4. To ensure the relevant matters for consideration under Section 4.15 of Environmental Planning and Assessment Act 1979 are maintained.

DRAFT DEFERRED COMMENCEMENT CONDITIONS

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

Development Consent No.: DA/158/2017

Property Address: Lot 12 DP 22931, Lot 13 DP 22931, Lot 118 DP 23173

Deferred Commencement

DAANSC 01 Amended Stormwater plans

Schedule 1 (Deferred Commencement)

Pursuant to the provisions of S. 80(3) of the Environmental Planning and Assessment Act, 1979 the development application is granted a Deferred Commencement Consent subject to the completion and compliance of the followings:

1. Amended Stormwater plans

Amended stormwater plan shall be submitted incorporating the measures to address the following issues:

a. Additional On-site detention (OSD) tank Cross-sectional details

Additional cross-section drawings that shows details of both primary and secondary orifices, and the Cross-Sectional details of the OSD tank including, including invert levels grate levels weir levels, dimensions, etc. shall be provided to enable assessment of the OSD requirements.

a. Sectional details to demonstrate how the incorporation of rainwater tank with OSD system works

There are no details that demonstrate the functioning of the combined system of rainwater tank incorporated into the OSD system hydraulically. The sectional details showing the rainwater tank cross-section and connection of rainwater tank with the OSD system including the levels (invert and surface levels), size, dimensions, etc. are required to assess hydraulic functioning of the incorporated system of rainwater tank into the OSD system.

b. Insufficient storage

The OSD storage provision made for the primary storage (storage for 1 in 1.5 year's storm event), secondary detention storage (flood detention for storm event exceeding 1 in 1.5-year's storm event) and total storage are noted to be insufficient. The available storage

provisions are noted to be **48.8m³**, **26.6m³** and **75.4m³** respectively with the shortfall of **14m³**, and **6m³** totalling **20m³**. The OSD tank capacity should be increased to comply with these requirements.

The OSD tank capacity shall be increased to comply with the following OSD storage requirements as outlined below.

- **62.8m³** for the extended detention storage (primary storage) capacity for **1 in 1.5 year's** storm event,
- **32.4m³** for flood detention (secondary storage) as additional storage for storm event exceeding **1 in 1.5 year's** storm event with
- **95.2m³** of total storage capacity.

c. Site discharge

The total discharge from the site including the controlled flow and the uncontrolled flow including the runoff from the OSD bypass area shall be limited to not more than **30 l/s**. If the total discharge exceeds **30l/s** then provision shall be made for the outflow to be discharge directly into the street stormwater infrastructure (street stormwater pipe system, not onto the kerb & gutter).

d. Inconsistencies between the plans.

- The floor labelling (floor levels) and the associated floor surface levels shown on the plans (architectural floor plans, elevations, and on the stormwater plan and are inconsistent.
- The amendments made on stormwater plan shall be incorporated into the other plans (Landscape plan and architectural plans) as well to ensure consistency between the plans.
- Further, the revision numbering and the revision date shall be consistent across the drawings and the amendments shall be marked with the cloud/bubble.

The above requirement(s) must be satisfied within **3 months** of this determination or the consent will lapse.

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

General Matters

PA0001 # Approved plans and supporting documentation

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

Drawing No.	Prepared By	Date
Coversheet, Drawing No.	Andrew Burges	14 December

DA-A00, Revision C	Architects	2017
Site Plan, Drawing No. DA-A01, Revision C	Andrew Burges Architects	14 December 2017
Site Demolition Plan, Drawing No. DA-A02, Revision C	Andrew Burges Architects	14 December 2017
Basement Entry Floor Plan, Drawing No. DA-D01, Revision C	Andrew Burges Architects	14 December 2017
Lower Ground Floor Plan, Drawing No. DA-D02, Revision C	Andrew Burges Architects	14 December 2017
Ground Floor Plan, Drawing No. DA-D03, Revision C	Andrew Burges Architects	14 December 2017
First Floor Plan, Drawing No. DA-D04, Revision C	Andrew Burges Architects	14 December 2017
Roof Plan, Drawing No. DA-D05, Revision C	Andrew Burges Architects	14 December 2017
Elevations North and South, Drawing No. DA-E01, Revision C	Andrew Burges Architects	14 December 2017
Elevations East and West, Drawing No. DA-E02, Revision C	Andrew Burges Architects	14 December 2017
Sections B and C, Drawing No. DA-F01, Revision C	Andrew Burges Architects	14 December 2017
Sections E and F, Drawing No. DA-F02, Revision C	Andrew Burges Architects	14 December 2017
Materials Board, Drawing No. DA-M01, Revision C	Andrew Burges Architects	14 December 2017
Landscape Plan, Lower Ground Plan, Drawing No. DAL01, Revision B	Sibling Architecture Landscape Design	17 January 2018
Landscape Plan, Ground Floor Plan, Drawing No. DAL02, Revision B	Sibling Architecture Landscape Design	17 January 2018
Landscape Plan, First Floor Plan, Drawing No. DAL03, Revision B	Sibling Architecture Landscape Design	17 January 2018
Deep Planters to North Rocks Road Plan and Section	Sibling Architecture Landscape Design	12 June 2018

Document(s)	Prepared By	Dated
Traffic and Parking Impact Assessment	Maclaren Traffic Engineering and Road	19 December 2017

Report	Safety Consultants	
Operational Plan	Mary Digges	January 2018
Schedule 1 – Typical day arrival and departure schedule, V6	Mary Digges	July 2018
Acoustic Report, Revision 3	TTM Consulting	1 February 2017
Access Report, Ref. 16231-R1.2	Code Performance	1 February 2017
Waste Management Plan, Revision 1	Barker Ryan Stewart	4 February 2017
Social Impact Assessment, Revision 1	Barker Ryan Stewart	6 February 2017
Aboriginal Impact Assessment	Arboreport Vegetation Management Consultants	2 February 2017

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

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

PA0002 Building work in compliance with BCA

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

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

PA0003 Construction Certificate

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

Reason: To ensure compliance with legislative requirements.

PA0004 No encroachment on Council and/or Adjoining proper

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

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

PA0011 #Demolition of Buildings

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

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

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

- (a) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (b) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (c) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (d) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001
- (e) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.

- (f) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (g) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (h) Demolition is to be completed within 5 days of commencement.
- (i) 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.
- (j) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (k) Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.
- (l) Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.
- (m) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (n) Before demolition works begin, adequate toilet facilities are to be provided.
- (o) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (p) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (i) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
 - (ii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

PA0007 Demolition work carried out in accordance with Aus

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

Reason: To ensure appropriate demolition practices occur.

LA0003 #Replacement of street trees

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

Tree No.	Name	Common Name	Name of Street Frontage
2 x	<i>Eucalyptus scoparia</i>	Wallangarra White Gum	Speers Rd

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

The following street trees shall be planted within the road reserve;

Qty	Name	Common Name	Minimum Pot Size	Name of Street Frontage
2 x	<i>Callistemon citrinus</i>	Scarlet Bottlebrush	45L	Speers Rd

Note: All approved street tree plantings shall be planted a minimum of three (3) metres from any driveway.

Reason: To ensure restoration of environmental amenity.

ECA0006 Require to notify about new contamination evidence

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

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

EWA0002 Amenity of waste storage areas

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

Reason: To maintain the amenity of the area.

Prior to the issue of a Construction Certificate

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

DB0002 Retaining walls

10. 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 a Construction Certificate for assessment and approval by the certifying authority.

Reason: To minimise impact on adjoining properties.

DB0003 Sydney Water Quick check

11. 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.

DB0004 Dial Before you Dig Service

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

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

DB0012 #On Site Detention

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

- (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in

accordance with the following Stormwater Plans approved by this consent and with 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) The final drainage plans are consistent with the submitted Drainage Plans i.e. "Stormwater Management Plan (Layout plan): (Drawing reference numbers **160139.01 & 02 i.e. Sheet 1 & 2 of 5:** Lower Ground Floor and Ground Floor Layout Plan; **160139.03 i.e. sheet 3 of 5:** OSD and water quality Details), Revision "**C**" dated **09/04/2018**, prepared by Barker Ryan Steward (**3** sheets) together with the notes and rectification as required and address the issues.

- ***Additional On-site detention (OSD) tank cross-sectional details***

Additional cross-section drawings that shows details of both primary and secondary orifices, and the Cross-Sectional details of the OSD tank including, including invert levels grate levels weir levels, dimensions, etc. shall be provided to enable assessment of the OSD requirements.

- ***Sectional details to demonstrate how the incorporation of rainwater tank with OSD system works***

The sectional details showing the rainwater tank cross-section and connection of rainwater tank with the OSD system including the levels (invert and surface levels), size, dimensions, etc. that demonstrate satisfactory hydraulic functioning of the incorporated system of rainwater tank into the OSD system.

- ***Inconsistencies between the plans.***

The amendments made on stormwater plan shall be incorporated into the other plans (Landscape plan and architectural plans) as well to ensure consistency between the plans. Further, the revision numbering and the revision date shall be consistent across the drawings and the amendments be marked with the cloud/bubble.

- (b) The OSD design achieves, when using the Extended/Flood detention method (4th edition of UPRTC's handbook), the Site Reference Discharge (Lower Storage), **SRD_L of 40 l/s/ha**, Site Storage Requirement (Lower Storage) **SSR_L of 300 m³/ha** and Site Reference Discharge (Upper Storage), **SRD_U of 150 l/s/ha**, Site Storage Requirement (Total) **SSR_T of 455 m³/ha** with the storage requirements as outlined below:

The primary storage (Extended Detention) volumes of **62.8m³**, secondary storage (Flood Detention) of **32.4m³** and Total Storage

of at least **95.2m³** (no Rainwater tank credit shall apply) for the OSD system as specified on the OSD design calculation sheet.

- (a) Certificate from registered structural engineer certifying the structural design adequacy of the OSD tank structure against the loads/forces including buoyancy forces.
- (a) Any changes, other than that are of minor nature (such as minor relocation of pits and pipes), or the changes that affect the approved landscaping require prior approval from the council.
- (b) The OSD Detailed Design Submission (Form B9) and OSD Detailed Calculation Summary Sheets (from B1) are to be submitted with the documentation accompanying the construction certificate application.

A calculation table showing the available storage volume with the pyramid volume and prismatic volume calculation method is to be shown on the plan.

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

DB0013 #Water treatment for stormwater

14. As a part accomplishment of Water Sensitive Urban Design principles, in accordance with the section 3.16 under Part B4 of “The Hills DCP 2012” appropriate Water Sensitive Urban Design Measures (Water Quality measures) shall be employed as a part of Site Stormwater Management. In this regard, **each of the surface pit shall be fitted with the filtration basket (Enviropod or Spell-Stormsack or equivalent make with the demonstrated pollutant removal efficiency of 100% of Gross Pollutants, 32% of TSS (total suspended solid), 37% of TP (total Phosphorous) and 38% of TN (total nitrogen)** shall be installed that is capable of treatment of stormwater at a water quality filtration rate equivalent to 1 in 3 month’s flow from the site and that complies with the pollutant removal targets as required.

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

DBNSC 01 Construction of underground tank structure

15. The underground OSD storage tank structures shall be constructed as designed and certified by a Qualified Structural Engineer, taking into **account of the structural loads including dead load and live load from the above and surrounding areas/structures including the buoyancy forces, which exert load on the tank structures.** The principal certifying authority shall ensure that the designer has taken account of all loads influencing the tank structures, duly certified and provided the structural design certificate and comply with Australian Standard: AS3600-2009-concrete structures and AS3700-2001-Masonry structures.

Upon completion of construction, a Certified Practicing Engineer shall certify the work

Reason: To ensure that the structural stability of the underground tank structure.

DBNSC 02 Driveway to match existing nature strip at bndr

16. The driveway(s) within the nature strip shall be designed and constructed to match the surface levels with that of existing **nature strip at the property boundary**, the joints are made smooth, and no part of the concrete protrudes out. As the driveway slopes downward towards the **Basement car park**, in order to prevent street water entering the property through the driveway, the driveway shall slope upward from the kerb & gutter up to the front property boundary with the crest at property line (at least **150mm** higher than the kerb), before it falls down towards the basement car park.

Reason: To provide suitable vehicle access and smooth junction.

DB0009 Collect&discharge of dirty water from car wash bay

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

Reason: To ensure satisfactory storm water disposal.

DB0014 Underground electricity supply for townhouses&above

18. Electricity provision within the site is to be designed so that in the future the electrical connection from this site can be made to an underground connection within the street. Certification from an energy provider addressing their requirements for this provision is to be forwarded to the Certifying Authority with the application for a Construction Certificate.

Reason: To enable future upgrading of electricity services.

DB0017A Construction of a heavy duty vehicular crossing

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

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

Reason: To ensure appropriate vehicular access is provided.

DB0021 Impact on Existing Utility Installations

20. Where work is likely to disturb or impact upon utility installations, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the

proposed works must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

DB0022 Support for Council Rds, footpath, drainage reserv.

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

Backfilling of excavations adjoining Council property or any void remaining at the completion of the construction between the building and Council property must be fully compacted prior to the completion of works.

Reason: To protect Council's infrastructure.

DB0026 Driveway Grades

22. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 to prevent the underside of the vehicles scraping. Where the geometric change in grade exceeds 18%, the gradients of the driveway and ramps shall be checked using the method at Appendix C in AS2890.1:2004 and adjustments will be made to accommodate suitable transition lengths. Details are to be provided with the application for a Construction Certificate.

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

PB0002 Long Service Levy payment for Constr. over \$25,000

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

Reason: To ensure that the levy is paid.

PB0006 Location of plant

24. All plant and equipment (including but not limited to air conditioning equipment) is to be located within the basement or other areas within the building and is not to be located on the roof. Details demonstrating compliance are to be submitted with the Construction Certificate application.

Reason: Minimise impact on surrounding properties, improve visual appearance and amenity for locality.

PB0010 #Acoustic Report

25. The recommendations outlined in the acoustic report prepared by TTM Consulting, Revision 3 dated 1 February 2017 shall be incorporated into the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure a suitable level of residential amenity.

PB0013 Reflectivity of external finishes

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

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

PB0023 Outdoor lighting

27. All outdoor lighting must comply with the relevant provisions of AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Details demonstrating compliance with these requirements must accompany the Construction Certificate application and be to the satisfaction of the Certifying Authority.

Reason: To provide high quality external lighting for security without adverse effects on public amenity from excessive illumination levels.

PB0024 Disabled access for commercial developments

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

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

PB0029 Environmental Enforcement Service Charge - All DAs

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

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

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

PB0030 Infrastructure & Restoration Adm. fee for all DAs

30. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Construction Certificate.
The fee will be in accordance with Councils 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.

PB0036 Noise Management Plan -Demo. Excav. & Construction

31. 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.

PB0037 #Security Bonds (multi-unit and above)

32. 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/158/2017;
- (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
Nature Strip and Roadway - <i>(applies to all developments with a cost greater than \$50K and swimming pools regardless of cost. See Schedule of Fees and Charges, \$1000 - \$25,000 per street frontage in current financial year)</i>	\$50,000 (two street frontages)

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.

PB0046 #Develop Contribution Plan (Former Hills LGA Land)

33. A monetary contribution comprising **\$65,648.05** is payable to City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the *City of Parramatta Section 94A Development Contributions Plan (Former Hills LGA Land)*. Payment must be by EFTPOS, bank cheque or credit card only.

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

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (*All Groups*

Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

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

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

EWB0001 Appoint waste contractor

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

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

EWB0002 Separate waste bins for general & recycling waste

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

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

EAB0002 Noise impact on child-care centres

36. Prior to the issue of a Construction Certificate written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on **residential buildings** from rail corridors and/or busy roads:

- (a) In any bedroom in the building: 35dB(A) between 10pm – 7am
- (a) Anywhere else in the building (other than a garage, hallway, kitchen or bathroom: 40dB(A) at any time.

Reason: Compliance with relevant noise amenity criteria in Infrastructure SEPP.

TBNSC Non-standard

37. The PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors,

fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application.

Reason: To ensure appropriate vehicular manoeuvring is provided.

TBNSC Non-standard

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

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

TBNSC Non-standard

39. Sight lines at the property line are to be provided in accordance with the minimum requirements specified in Figure 3.3 of AS 2890.1-2004 (a splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway) on both sides of the access driveway. This splay shall not to be compromised by obstructions greater than 900mm in height such as landscaping, signage fences, walls or any display materials off North Rocks Road and Speers Road.

Reason: To ensure pedestrians safety.

TBNSC Non-standard

40. Adequate car parking spaces are to be allocated for drop-off and pick-up facility. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's Development Control Plan.

TBNSC Non-standard

41. Detailed engineering design plans of the preferred treatment at the intersection of North Rocks Road and Speers Road is to be submitted to Council's Service Manager - Traffic and Transport for consideration by the Parramatta Traffic Committee and approval by Council. The construction of the approved treatment is to be carried out by the applicant and all costs associated with the supply and construction of the traffic facility and appropriate signage are to be paid for by the applicant at no cost to Council.

Reason: To ensure maintenance of traffic flow and safety on the surrounding road network.

Prior to Work Commencing

PC0001 #Appointment of PCA

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

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

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

Reason: To comply with legislative requirements.

PC0002 Enclosure of the site

43. 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.

PC0003 Site Sign

44. 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;
- (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
- (f) This condition does not apply where works are being carried out inside an existing building.

Reason: Statutory requirement.

BC0001 Toilet facilities on site

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

Reason: To ensure adequate toilet facilities are provided.

PC0005 Public liability insurance

46. 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.

PC0006 Noise Management Plan – Construction Sites

47. 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) Identify sensitive location near the site;
- (b) Identify potential impacts (i.e. exceedance of the goals at the identified locations);
- (c) Mitigation measures to control noise and dust from the site, the noise reduction likely and the feasibility and reasonableness of these measures;
- (d) Selection criteria for plant and equipment;
- (e) Community consultation;
- (f) Details of work schedules for all construction phases;
- (g) Selection of traffic routes to minimise residential noise intrusion;
- (h) Schedule of plant and equipment use and maintenance programs;
- (i) Noise monitoring techniques and method of reporting results;
- (j) The methodology to be employed for handling and investigating any complaints should they arise;
- (k) Site induction details for employees and contractors; and
- (l) A declaration of available technologies and the reason for the selection of the preferred technology from a noise generating perspective should be included.

Reason: To maintain appropriate amenity to nearby occupants.

PC0008 Inspection prior Works in Public Domain/Assets

48. 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:

- (a) **prior to issue of a construction certificate** have a full set of plans stamped and approved by Council's Service Manager Civil Infrastructure.
- (b) 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:

- (a) construction of the stormwater pipe prior to backfilling of trench
- (b) construction of formwork to any drainage pits(s) prior to placement of concrete.
- (c) construction of any formwork to concrete pavement, footpath, driveway, kerb & gutter etc. and prior to placement of concrete.
- (d) 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 Council's Infrastructure is not damaged.

EW C0001 Asbestos – hazardous management strategy

49. The preparation of an appropriate hazard management strategy by an appropriately licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure that any such proposed demolition works involving asbestos are carried out in accordance with the requirements of the 'Code of Practice: How to Safely Remove Asbestos' published by WorkCover NSW. The strategy shall be submitted to the Principal Certifying Authority, prior to the commencement of any works. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.

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

EW C0002 Asbestos – signage

50. 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 SafeWork NSW hotline or their website www.safework.nsw.gov.au.

Reason: To comply with the requirements of SafeWork NSW.

EW C0003 Waste management plan – demolition

51. 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;
 - (a) 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.

DC0001 Construction and Traffic Management Plan

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

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

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

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

once a written request to remove the restriction is received by Council.

- (b) 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,
 - (i) Approval shall be obtained from City of Parramatta Council for any temporary road closures or crane use from public property.
- (c) Where applicable, the plan must address the following:
 - (i) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road,
 - (i) 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.
 - (ii) Minimising construction related traffic movements during school peak periods.

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

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

DC0002 Road Opening Permits - DA's involving drainage wrk

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

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

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

DC0003 Dilapidation survey & report for private properties

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

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

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

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

Reason: Management of records.

DC0004 Geotechnical report

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

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

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

- (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
- (d) The impact on groundwater levels in relation to the basement structure.
- (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

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

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

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

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

- (i) No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.

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

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

DC0006 Erosion and Sediment Control measures

56. 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.

DC0007 Site Maintenance

57. 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.

DC0008 Shoring and adequacy of adjoining property

58. 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.

DC0009 Special Permits

59. 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.

DC0010 Driveway Crossing Application

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

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

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

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

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

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

DCNSC 01 Existing Damage to public infrastructure

61. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Council of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters, drainage pits, pipes etc. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of works. Failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs

Reason: To ensure that the applicant bears the cost of all restoration works to Council's property damaged during the course of this development.

During Work

PD0001 Copy of development consent

62. 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.

PD0003 Dust Control

63. 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 Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

PD0004 Materials on footpath

64. 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.

PD0006 #Hours of work and noise

65. 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.

PD0007 Complaints register

66. 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 complaint; 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.

PD0008 Noise

67. 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.

PD0010 Survey Report

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

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

DD0005 Erosion & sediment control measures

69. 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.

DD0003 Grated drain at end of basement Driveway Ramp.

70. A **250mm** wide grated channel/trench drain with a heavy-duty removable galvanised steel grate shall be provided to the full width **at the end of the basement driveway ramp** to collect driveway runoff. The **grated/channel** drain shall be connected to the **OSD tank** and shall have an outlet of minimum diameter **150mm** to prevent blockage by silt and debris.

Reason: Stormwater control & runoff management

DD0006 Damage to public infrastructure

71. 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.

DD0007 Construction of a concrete footpath

72. A footpath is to be constructed in accordance with Council Standard Drawing DS3 in front of the site within the road reserve **on Speers Road as well as on North rocks Road**. Details of the proposed footpath works shall be submitted to and approved by Council's Civil Asset Team prior to commencement of footpath works. All costs are to be borne by the applicant.
Reason: To provide pedestrian passage.

DD0009 Car parking & driveways

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

DD0010 Vehicle egress signs

74. Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way.
Reason: To ensure pedestrian safety.

DD0011 Nomination of Engineering Works Supervisor

75. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided prior to issue of occupation Certificate.
Reason: To ensure Council's assets are appropriately constructed.

TD0001 Occupat. of any part of footpath/road - Enusre Mge

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

TD0002 Oversize vehicles using local roads

77. Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.
Reason: To ensure maintenance of Council's assets.

LD0009 Planting Requirements

78. 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.

LD0010 Advanced tree planting

79. All trees supplied above a 25L container size must be grown in accordance with AS2303:2015 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2015. 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.

LD0011 Tree Removal

80. Trees to be removed are:

Tree No.	Species	Common Name	Location
1	<i>Brachychiton acerifolius</i>	Illawarra Flame tree	No 49
2	<i>Jacaranda mimosifolia</i>	Jacaranda	No 49
3	<i>Sapium sebiferum</i>	Chinese Tallow	No 49
4	<i>Jacaranda mimosifolia</i>	Jacaranda	No 49
5	<i>Callistemon viminalis</i>	Bottlebrush	No 49
6	<i>Ceratopetalum gummiferum</i>	NSW Xmas Bush	No 49
7	<i>Grevillea robusta</i>	Silky Oak	No 51
8	<i>Jacaranda mimosifolia</i>	Jacaranda	No 51
9	<i>Liquidambar styraciflua</i>	Liquidambar	No 2
10	<i>Jacaranda mimosifolia</i>	Jacaranda	No 2
11	<i>Jacaranda mimosifolia</i>	Jacaranda	No 2
12	<i>Jacaranda mimosifolia</i>	Jacaranda	No 2
12	<i>Jacaranda mimosifolia</i>	Jacaranda	No 2

Reason: To facilitate development.

LD0012 Trees with adequate root volume

81. All trees planted within the site must be of an adequate root volume and maturity so as not to require staking or mechanical support. Planting must be carried out in accordance with the approved Landscape Plans and conditions of consent.

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

LD0013 Removal of trees by an arborist

82. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the

provisions of the Safe Work Australia Guide to managing risks of tree trimming and removal work.

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

EWD0002 Asbestos handled& disposed of by licensed facility

83. All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.

Reason: To ensure appropriate disposal of asbestos materials.

EWD0003 Waste data file maintained

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

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

EWD0004 Hazardous/intractable waste disposed of in accor.

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

- (a) Work Health and Safety Act 2011
- (a) NSW Protection of the Environment Operations Act 1997 (NSW) and
- (b) 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.

EWD0005 General requirements for liquid and solid waste

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

Reason: To prevent pollution of the environment.

EWD0008 Contaminated waste to licensed EPA landfill

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

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

Prior to the issue of an Occupation Certificate

PE0001 Occupation Certificate

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

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

BE0001 Record of inspections carried out

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

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

Reason: To comply with statutory requirements.

PE0002 Approval to operate a child care centre - NSW DOCS

90. This consent does not authorise the use or operation of the premises as a child care centre, except where the operator and all employees are in possession of a current valid license from the NSW Department of Education and Communities in accordance with the National Quality Framework requirements.

Reason: Compliance with legislative requirements.

PE0004 #Certification from an acoustic consultant

91. The acoustic measures required by the acoustic report(s) prepared by TTM Consulting, Revision 3, dated 1 February 2017 must be implemented prior to issue of any Occupation Certificate.

Reason: To minimise the impact of noise.

PE0024 The Release of Bond(s)

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

- (a) Council's Development Application number; and

(b) Site address.

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

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

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

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

LE0002 Cert.Auth.Arrange Qualified LandscapeArch.(multi)

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

Reason: To ensure restoration of environmental amenity.

EWE0002 Details of commercial contract for collection

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

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

EAE0001 #All works/methods/procedures/control measures

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

(a) Acoustic Report Revision 3, dated 1 February 2017, prepared by TTM Consulting.

Reason: To demonstrate compliance with submitted reports.

DE0014 Lot consolidation

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

Reason: To comply with the Conveyancing Act 1919.

DE0018 Reinstatement of laybacks etc

97. All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with Council's Standard Plan No. DS1. The reinstatement

must be completed prior to the issue of an Occupation Certificate. All costs must be borne by the applicant.

Reason: To provide satisfactory drainage.

DE0001 Construction of a concrete footpath

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

Reason: To provide pedestrian passage.

DE0006 Section 73 Certificate

99. 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.

DE0003 Work-As-Executed Stormwater Plan

100. Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to Occupation, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The person issuing the Certificate shall ensure that the following documentation is completed and submitted

- 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.
- a. The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- b. The "As-built" On-Site Detention (OSD) storage volumes are to be presented in a tabular form using the pyramid volume and prismatic volume calculation method.
- c. OSD WAE Survey certification form and WAE dimensions form (Form B10 and attachment B. Refer to UPRCT Handbook).
- d. Certificate of Hydraulic Compliance (Form B11) from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- e. Approved verses installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- f. Structural Engineer's Certificate for the OSD tank structure, basement pump out tank structure, OSD basin (retaining) wall etc.

The above is to be submitted to the Certifying Authority prior to the issue of an occupation certificate and another set of the documents shall be submitted to Council.

Reason: To ensure works comply with approved plans and adequate information are available for Council to update the Council's Record.

DE0005 #OSD Positive Covenant/Restriction

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

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

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

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

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

DENSC 01 PosCovenant to maintain Water Treatment Devices

102. Prior to Occupation the applicant must create a Positive Covenant and Restriction on the use of land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the Water Quality improvement of and facilities installed on the lot. The positive covenant and Restriction on the use of land shall be created only upon completion of the system and certification by a qualified practicing engineer to the satisfaction of the Certifying Authority.

Note: *The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW. Documents relating proof of completion of the stormwater system according to the approved stormwater plan and certification of the compliance shall be submitted to the council together with the positive covenant and restriction.*

Reason: To ensure maintenance of on-site detention facilities

DE0007 Street Numbering

103. 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.

Reason: To ensure all properties have clearly identified street numbering, particularly for safety and emergency situations.

DE0015 Driveway Crossover

104. Prior to the issue of any Occupation Certificate, an application is required to be obtained from Council for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment.

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

The application for a driveway crossing requires the completion of the relevant application form and be accompanied by detailed plans showing, grades/levels and specifications that demonstrate compliance with Council's standards, without conflict with all internal finished surface levels. The detailed plan must be submitted to Council's Civil Assets Team for approval prior to commencement of the driveway crossing works. A fee in accordance with Councils adopted 'Fees and Charges' will need to be paid at the time of lodgement.

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

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

Reason: Pedestrian and Vehicle safety.

DENSC 02 Post-construction dilapidation report

105. The applicant shall engage a suitably qualified person to prepare a post construction **dilapidation** report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be **prepared and approved by the certifier prior to occupation**. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the **certifier** must:

- (a) compare the post-construction **dilapidation** report with the pre-construction **dilapidation** report, and
- (a) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (b) carry out site inspection to verify the report and ensure that any damage to the public infrastructure as a result of the

construction work have been rectified immediately by the developer at his/her cost.

- (c) Forward a copy of the dilapidation report with the PCA's comparison and assessment review report to Council.

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

The Use of the Site

PF0004 External Plant/Air-conditioning noise levels

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

Reason: To minimise noise impact of mechanical equipment.

PF0006 Advertisement/ Signage consent

107. No advertisement/signage shall be erected on or in conjunction with the development without prior consent.

Reason: To comply with legislative controls.

PF0011 No A-frame signs or sandwich boards

108. No A-frame signs or sandwich boards are permitted.

Reason: To protect the amenity of the area.

PF0025 #Operating hours

109. The days and hours of operation are restricted to:

Day	Time
Monday	6:30am until 6:00pm
Tuesday	6:30am until 6:00pm
Wednesday	6:30am until 6:00pm
Thursday	6:30am until 6:00pm
Friday	6:30am until 6:00pm

No operation is permitted on Saturdays, Sundays or public holidays.

Reason: To minimise the impact on the amenity of the area.

PF0049 Graffiti Management

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

Reason: To ensure the removal of graffiti.

PFFNSC Non-standard - The Use of the Site

111. The child care centre is to operate in accordance with the Operational Plan, prepared by Mary Digges, dated January 2018 and the Schedule

of Arrivals and Departures Schedule, V6 prepared by Mary Digges, dated July 2018.

Reason: To ensure the amenity of adjoining residents.

PFFNSC Non-standard - The Use of the Site

112. The number of children within the child care centre is not to exceed 99 children at any time.

Reason: To comply with relevant legislative requirements.

EWF0003 Remove putrescible waste at sufficient frequency

113. 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.

EWF0002 Provide waste storage room on premises

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

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

Reason: To ensure provision of adequate waste storage arrangements

EWF0005 Management of waste storage facilities

115. 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.

EAF0001 Use is not to cause offensive noise or vibration

116. 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.

EAF0002 Patron noise control

117. The proprietors of the venue shall be responsible at all times for the orderly dispersal of patrons from the venue.

Reason: To protect the amenity of the surrounding neighbourhood.

EAF0004 No 'offensive noise'

118. 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.

EAF0007 Noise from mechanical equipment

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

Reason: To protect the amenity of the area.

EAF0009 Use of Premises

120. 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 at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

Reason: To prevent loss of amenity to the area.

Date: 18 July 2018

Responsible Officer: Sohini Sen