

REVISED RECOMMENDED CONDITIONS

SCCPP Reference:	2017SWC099
DA No:	DA/644/2017
Address:	9-11 Burroway Road – Wentworth Point
Application:	Marina DA

The recommended conditions of consent (Attachment B) of the Assessment Report have been revised as a result of negotiations with the applicant.

The RMS have provided their concurrence on 29 May 2018 to the final conditions attached.

The revisions to the conditions are outlined in the table below.

Condition No.	Change
Condition 7 A detailed Construction and Environmental Management Plan (CEMP) is to be prepared	Minor change to requirement for silt curtains to allow for any minor design changes. Minor change to terminology. Instead of the NSW EPA <i>approving</i> the CEMP they are to <i>review and endorse</i> the CEMP.
Condition 95 A detailed Operational and Environmental Management Plan (OEMP) is to be prepared	Minor change to terminology. Instead of the NSW EPA <i>approving</i> the OEMP they are to <i>review and endorse</i> the OEMP.

Revised **Attachment B** (recommendation and conditions) to the Assessment Report is attached.

ATTACHMENT B - CONDITIONS OF CONSENT

Updated 29.05.2018

SCCPP Reference:	2017SWC099
DA No:	DA/644/2017
Address:	9-11 Burroway Road – Wentworth Point

APPROVAL SUBJECT TO CONDITIONS

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act, 1979

That the Sydney Central City Planning Panel, as the determining authority, grant consent to Development Application No. DA/644/2017 for the construction of a new marina consisting of wet berths (up to 63 vessels) and dry boat storage (up to 228 vessels) with ancillary parking and retail tenancies and a boat launching channel on land at 9-11 Burroway Road, Wentworth Point for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the following conditions:

General Matters

- 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.	Drawing Name	Prepared By	Dated
Dry Boat Storage Facility – Project 16105			
DA001 – Rev H	Contents Page	Conybeare Morrison	26.07.2017
DA002 – Rev G	Plan – Location	Conybeare Morrison	26.07. 2017
DA003 – Rev H	Plan – Site	Conybeare Morrison	26.07. 2017
DA004 – Rev E	Site Analysis	Conybeare Morrison	12.12. 2017
DA0011 – Rev N	Plan – Ground Floor	Conybeare Morrison	09.04.2018
DA012 – Rev H	Plan – Level 1	Conybeare Morrison	26.07. 2017
DA013 – Rev K	Plan – Upper Levels	Conybeare Morrison	26.07. 2017
DA014 – Rev L	Plan – Roof	Conybeare Morrison	26.07. 2017
DA021 – Rev K	Elevation South-West	Conybeare Morrison	26.07. 2017
DA022 – Rev K	Elevation South-East	Conybeare Morrison	26.07. 2017
DA023 – Rev J	Elevation – North-East	Conybeare Morrison	26.07. 2017
DA024 – Rev G	Elevation – North-West	Conybeare Morrison	26.07. 2017
DA031 – Rev H	Section 1 Through Bridge	Conybeare Morrison	26.07. 2017
DA032 – Rev J	Section 2 Through PK & DBSF	Conybeare Morrison	26.07. 2017
DA041 – Rev F	Details - Facade	Conybeare Morrison	26.07. 2017
DA042 – Rev B	Details – Façade	Conybeare Morrison	26.07. 2017
DA071 – Rev B	External Materials Palette	Conybeare Morrison	26.07. 2017
DA101 & 102	Photomontages x 2	-	-
Marina Plans			
301015-03538-MA-DWG-0100 Rev D	Cover Sheet	Worley Parsons	29.03.2017
301015-03538-MA-DWG-0101 Rev H	Marina Layout Plan	Worley Parsons	25.07.2017

301015-03538-MA-DWG-0102 Rev E	Marina Sections	Worley Parsons	04.07.2017
301015-03538-MA-DWG-1102 Rev C	Typical Section	Worley Parsons	29.06.2017
301015-03538-MA-DWG-0201 Rev E	Marine Operations Plan	Worley Parsons	25.07.2017
Landscape Drawings – Concept Only – Refer to Conditions Revision			
Job No. 17532 Revision F Pages 1 to 13	Landscape DA documentation	Context	Feb 2018
Job No. 17532 Drawing L-2001 Revision G	Public Domain Alignment Plan	Context	09.04.2018
Job No. 17532 Drawing L-2002 Revision G	Public Domain Alignment Plan	Context	09.04.2018
Civil Engineering Drawing Set – Job No. 17067			
C-0-00 – Rev 2	Cover Sheet	Robert Bird Group	22.03.2018
C-1-01 – Rev 3	Erosion and Sediment Control Plan	Robert Bird Group	20.03.2018
C-1-10 – Rev 3	Erosion and Sediment Control Notes & Details	Robert Bird Group	20.03.2018
C-3-01 – Rev 5	General Arrangement Plan	Robert Bird Group	22.03.2018
C-3-10 – Rev 3	Civil Details	Robert Bird Group	20.03.2018
C-3-20 – Rev 2	Burroway Road Longitudinal Section – North	Robert Bird Group	22.03.2018
C-3-21 – Rev 2	Burroway Road Longitudinal Section – South	Robert Bird Group	22.03.2018
C-3-22 – Rev 2	Turning Head Longitudinal Section – North	Robert Bird Group	22.03.2018
C-3-25 – Rev 2	Burroway Road Cross Sections – Sheet 1 of 2	Robert Bird Group	22.03.2018
C-3-26 – Rev 2	Burroway Road Cross Sections – Sheet 1 of 2	Robert Bird Group	22.03.2018
C-4-01 – Rev 3	Pavement Layout Plan <i>(Concept Only – refer to Condition 14 for changes)</i>	Robert Bird Group	20.03.2018
C-4-10 – Rev 2	Pavement & Jointing Details	Robert Bird Group	20.03.2018
C-6-01 – Rev 6	Stormwater Management Plan	Robert Bird Group	22.03.2018
C-6-10 – Rev 1	Stormwater Longsections	Robert Bird Group	22.03.2018
C-6-60 – Rev 4	Proposed Stormwater Catchment Plan	Robert Bird Group	22.03.2018

Document Name	Document No.	Prepared By	Dated
Environmental Impact Statement	16789	JBA	28.07.2017

Geotechnical Report	Project 84357 – Rev 0	Douglas Partners	23.09.2014
Remediation Action Plan – Dry Boat Store	Project 2270635A – Rev D	WSP	15.11.2017
Interim Audit Advice	52782-112743	JBS&G	18.12.2017
Marina & DBS - Marine Environment Assessment	301015-03538-004 – Rev 2	Worley Parsons	26.07.2017
Marina Concept Study	301015-03538-MA-REP-002 – Rev 2	Worley Parsons	26.07.2017
Stormwater Management Plan	Project 17067C Issue B	Robert Bird Group	07.06.2017
Noise Assessment	47.7090.R1:GA/D T/2017 - Rev 02	Atkins Acoustics and Associates Pty Ltd	July 2017
Energy Efficiency & Sustainability Concept Report – Dry Boat Storage	Revision 2.1	Norman Disney & Young	26.07.2017
Crime Prevention Through Environmental Design (CPTED) Assessment	16789	JBA	25.07.2017
Construction Environmental Management Plan (CEMP) Preliminary Outline – Draft (<i>concept - to be revised</i>)	Rev 1	Worley Parsons	26.07.2017
Operational Environmental Management Plan (OEMP) Preliminary Outline – Draft (<i>concept - to be revised</i>)	Rev 1	Worley Parsons	26.07.2017
Acid Sulfate Soil Management Plan	2270635A-CLM-REP-ASS Rev B	WSP	21.12.2017

Note: Some of the above approved documents will be in a concept form only as conditions of consent may require the submission of revised documents.

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.

- Physical commencement must occur in accordance with the requirements of Section 4.53(4) of the Environmental Planning and Assessment Act within 5 years of the date of the issue of the consent. In this regard should physical commencement not occur by **(insert date 5 years from issue of consent)** the consent will lapse.

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

- All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code) or relevant Australian Standard.
- Reason:** To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

- Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a construction

certificate or certification under Section 6.28 of the Environmental Planning & Assessment Act, 1979. Plans, specifications and relevant documentation accompanying the construction certificate/certification must include any requirements imposed by conditions of this Development Consent.

Reason: To ensure compliance with legislative requirements.

5. A reference in this consent to “certification of the works” means the certification of the building works (approved under this consent) under Part 6 of the Environmental Planning and Assessment Act, 1979, being either the issuing of a Construction Certificate **or** certification under Section 6.28 of the Environmental Planning and Assessment Act, 1979. In addition, any reference to “the certifier” means a Principal Certifying Authority, or person authorised to certify the works.

Reason: To confirm the requirements of this consent to be satisfied before the certification of building works.

Prior to the Certification of Works

(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/Certification drawings)

6. A site auditor is to be engaged for the duration of the remediation, construction and validation phases of the project. Details of the engagement of the site auditor are to be provided to the NSW EPA and Council before certification of the works. Any changes to the site auditor details are to be reported to the NSW EPA and Council as soon as practical.

Reason: To ensure mitigation of risks to human health and the environment are maximised during the construction phases of the development.

7. A detailed **Construction and Environmental Management Plan (CEMP)** is to be prepared and is to include, but not be limited to, the following:

- Outline measures for spill prevention and emergency response requirements
- Use of environmental safeguards, including full length silt curtains (or best practice as agreed in the CEMP), being used during construction to ensure that there is minimal escape of turbid plumes (from the baseline) into the aquatic environment
- The inclusion of mitigation and management controls for all activities that have the potential to remobilise and transport sediment
- Management of use of boats and barges including:
 - restricting the number of boats/barges that can be in Homebush Bay during construction
 - restricting the draught of boats used during construction. Suitable boats that will result in minimal sediment disturbance must be used at all times
 - restricting the speed that the boats/barges can move while in Homebush Bay
 - restricting boat access at low tide to ensure less disturbance of sediments
 - restricting movement of barges/larger boats/floating plant (moved by propeller action) at low tide to ensure less disturbance of sediments
- Levels of turbidity outside of the controls to be measured continuously rather than solely visually observed
- A comprehensive monitoring plan that includes specific parameters to be monitored, sampling locations, frequency of data collection and data interpretation. Real-time feedback on turbidity should be incorporated into the monitoring plan to identify elevated turbidity levels early and trigger rapid management responses.

The detailed Construction and Environmental Management Plan (CEMP) is to be reviewed and approved by the site auditor. Once approved by the site auditor, the CEMP is to be submitted to Council and NSW EPA for review and endorsement before the certification of the works.

Reason: To ensure mitigation of risks to human health and the environment from remobilisation of contaminated sediments.

8. Deleted.

9. Deleted.

10. The following reports are to be prepared before the certification of any works:

- (a) A revised acid sulfate soils management plan to incorporate estimate volumes of PASS which would be encountered at the site, and potential volumes to be treated or otherwise
- (b) An asbestos management plan
- (c) A construction quality assurance plan for design of gas/vapour control system plan
- (d) A materials tracking plan
- (e) A long term environmental management plan.

The above reports are to be reviewed and endorsed by the site auditor. Once endorsed by the site auditor, the reports are to be submitted to Council and the NSW EPA before the certification of the works.

Reason: To ensure mitigation of risks to human health and ecology from remobilisation of contaminated sediments and comply with the recommendations of the site auditor.

11. Deleted.

12. A Landfill Gas Management Program for the management of landfill gas during the remediation phase, excavation phase and construction phases of the development be prepared to the satisfaction of the Site Auditor before the certification of works. The NSW EPA shall be provided a copy of the program and afforded the opportunity to comment before the final approval of the Site Auditor. This Program shall include reporting triggers and provision of ongoing surface and subsurface monitoring data and reporting to the NSW EPA in the event that unacceptable levels are reached on the site. Contingency actions are to be detailed for the event that landfill gas is reported above safe thresholds, to ensure protection of remediation workers. The following criteria shall be used:

- (a) For surface monitoring, surface emission threshold concentration for closer investigation and corrective action to be used is 0.05% v/v CH₄ (NSW EPA 2012, Guidelines for the Assessment and Management of Sites Impacted by Hazardous Ground Gases).
- (b) For subsurface monitoring, the criterion specified in Section 5.3 of Environmental Guidelines: Solid Waste Landfills (NSW EPA, Second Edition 2016) requires notification to EPA within 24 hours and increase in monitoring frequency if trigger level is reached (1% v/v CH₄ and 1.5% v/v CO₂).
- (c) If gas monitoring finds unacceptable levels of ground gas at the site during the proposed excavation and construction, post construction or occupation phases, then RMS must report to the EPA within 48 hours of the incident - and immediately in the event that significant environmental harm is occurring or likely to occur. In the report, the remedial measures undertaken to render the site safe and minimise risk to the site users must be detailed.

Monitoring of the work area must be undertaken by a suitably qualified person using a GA5000 landfill and contaminated land portable gas analyser (or equivalent) during the following stages:

- (a) Surface monitoring (1) prior to commencement of works, (2) following completion of subsurface works and (3) prior to building construction to confirm absence of LFG emissions;
- (b) At the commencement of work each day;
 - i) Following excavations into the subsurface materials;
 - ii) During any works which generate sparks, welding or use of open flames; and
 - iii) Where people are working in trenches.

Post-construction, a Validation and Verification Report must be issued outlining the gas protection measures adopted at the site, and an independent report validating the performance of these systems and verifying their adequacy before the issue of any Occupation Certificate/occupation of the premises.

Reason: To ensure landfill gas is appropriately managed and monitored on site.

13. Prior to the certification of works for any construction work relating to the ground floor, including slab pour, public domain works or any other above ground structure, a set of detailed **Public Domain Construction Drawings** must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The drawings shall address, but not limited to, the following areas:

- All the frontages of the development site between the gutter and building line, including footpath, drainage, forecourt, front setback;
- Any publicly accessible areas;
- Any works in carriageway, and
- Onsite landscape work.

Grading of the pedestrian footway:

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

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

- The latest City of Parramatta Public Domain Guidelines (PDG);
- All the conditions listed in this consent.

Reason: To ensure the public domain is constructed in accordance with Council standards.

14. Notwithstanding the approved stamped concept drawings, the following requirements shall be included in the Public Domain Construction Drawings required in Condition 13 above:

(a) Footpath

For unit paving finishes, the footpath paving set out and details must comply with Council's design standards. A copy of the Design Standard (DS) Drawings

referenced above can be obtained from Council's Customer Service department on 9806 5050, Mon – Fri (8:30am-4:30pm).

(b) Kerb Ramps

Kerb ramps must be designed and located in accordance with Council's design standards. Final finishes are to be resolved via a pre CC concept drawing set. Ramps are to be aimed to the ramp on the opposite side of the road.

(c) Vehicle Crossing

Council's standard vehicle crossing is to be provided in accordance with Council's design standards.

(d) Tactile Indicators (TGSI)

TGSIs must be used on the public footpath and comply with the requirements in the Public Domain Guidelines. The TGSIs must be installed in the locations as shown on the approved Public Domain Construction Drawings.

TGSI's must comply as follows.

- TGSI's are required at the top and base of each flight/ramp, to comply with AS1428.4.1 (2009)
- TGSI's are not required on a landing where handrails continue through the landing.

(e) Clear Path of Travel (Shore-Lining)

A clear path of travel along the building line must be provided in accordance with DDA requirements.

(f) Sealant

Sealant is to be applied to all unit paved surfaces in the public domain in accordance with Council requirements.

(g) Non-slip surface

The applicant shall provide test results (after applying paving sealant) to prove all unit pavement materials and finishes used in the public domain and any plaza areas are **non-slip surfaces** that comply with a V5 rating (according to AS4586:2013) in both wet and dry conditions.

(h) Lighting

Pedestrian and street lighting shall be to Council's requirements and Australian Standards. All the lighting features in the public domain shall be detailed in the Public Domain Construction Documentation.

(i) Steps

Steps in public open space must comply with the following requirements:

- Equal height risers of 150-165mm, and equal width treads of 275-300mm.
- Level landing areas at the top and base of steps.
- Opaque risers
- Compliant contrast nosings for full stair width
- Non-slip surfaces in wet and dry conditions

(j) Handrails

Handrails must comply as follows:

- Handrails installed on each side of the stair (or centrally).

- Landing area designed to sufficiently accommodate the required TGSI and handrail projection, which must be outside pedestrian path of travel and circulation spaces.
- Design of handrail according to AS1428.1:2009.
- Diameter of handrail 30-50mm.
- Clearance behind the handrail at least 50mm.

(k) Ramps

Ramps must comply as follows:

- Level landings at top and base
- Non-slip surfaces in wet and dry conditions
- Compliant handrails on each side with at least 1000mm between handrails
- A lower rail with maximum clearance of 65mm below.

Note: Council's preference is to achieve ramps which do not require handrails.

(l) Multi-media conduit

A conduit for Council's multi-media facilities shall be installed to the full length of the street frontages on Burroway Road. The conduit must be positioned and installed in accordance with Council's design standard drawing and specifications.

(m) Trees

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

Street Name	Botanical Name	Common name	Pot Size	Qty	Average Spacing
Burroway Road	Cupaniopsis anarcardioides	Tuckeroo	200L	As Shown	As shown on the approved drawings or as agreed by Council's DTSU Manager

Note: Large trees are currently in short supply and pre-ordering of stock at a very early stage of the project to secure the specified size is required. Size and species adjustments based on lack of project co-ordination will not be permissible.

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

Container Size	Height (above container)	Calliper (at 300mm)	Clear Trunk Height
100 litre	2.4 metres	50mm	1.4 metres
200 litre	2.8 metres	60mm	1.5 metres

Consistent tree pit size and construction is to be used throughout the public domain areas around the site for the street tree planting. The street tree must be planted in accordance with Council's design standard (to be advised when paving system agreed) with adequate clearances to other street elements in accordance with the Public Domain Guidelines.

A structural pavement system is required around proposed street trees *in all paved areas* in the footway in Burroway Road and around the building to mitigate against soil

compaction and to maximise aeration and porosity in the tree root zone. Suitable systems include suspended concrete slabs or structural cells such as strata cells. Tree grates may be required depending on the detailed design of the selected pavement structure system.

The base of all tree pits shall incorporate a drainage layer and pipe that connects to nearest stormwater pit and must be shown on the Public Domain Construction Drawings. The invert level of the storm water pit receiving the drainage water from the tree pits is also to be shown on the Public Domain Construction Drawings.

Trees and all planted areas must be provided with the required soil volumes and depths as follows:

- Trees located in deep soil – in accordance with the Public Domain Guidelines (refer Table 5.1)
- Any planting on bedrock or podium slabs and any planters (as applicable) – Apartment Design Guide (refer Section 4O, Table 5).

Calculations demonstrating soil volume compliance are to be included in the Public Domain Construction Drawings. Soil depth calculations are to be based on a maximum depth of 1m excluding any drainage layers.

Documentary evidence of compliance with these requirements is to be confirmed in the **Public Domain Construction Drawings** to be submitted to and approved by Council's DTSU Manager prior to the certification of works.

Reason: To comply with the Public Domain Guidelines.

15. Notwithstanding the approved stamped concept public domain drawings, final approval of the design layout, materials, paving pattern and planting in the public domain and publicly accessible areas around the building will be provided according to detailed design work and plant schedules prepared by the applicant for the Public Domain Construction Drawing submission. A preliminary design layout (50% design submission) is required to be submitted and signed-off by Council prior to the commencement of any detailed public domain construction drawings for the development.

Reason: To ensure the public domain is resolved before the detailed Public Domain Construction Drawings are prepared.

16. Drainage grates on an accessible path of travel and within common areas, are to have slots or circular openings with a maximum width of 13mm. Slots are to be laid with the long dimension at right angles to the paths of travel. Details demonstrating compliance are to be submitted to the certifier prior to the certification of works and again prior to the issuing of an Occupation Certificate/occupation of the premises.

17. The development shall 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, shall encroach upon Council's footpath area or over adjoining properties unless prior consent from Council has been approved. Notwithstanding this, the channel entrance may extend into adjoining RMS land to provide access to Homebush Bay.

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.

18. The following sustainability measures are to be incorporated into the building and indicated with the construction drawings before the certification of the works:

- (a) all recommended measures contained within the Energy Efficiency and Sustainability Concept Report (Revision 2.1) prepared by Norman Disney & Young dated 26 July 2017
- (b) The installation of advanced indoor and outdoor lighting controls such as occupancy sensors and daylight sensors
- (c) A photovoltaic system of a minimum 10-15kW being installed on the roof of the building
- (d) An electric boosted evacuated tube solar hot water system included in the hydraulic design
- (e) A rainwater system of approximately 20kL.

Reason: To confirm the details of the application.

19. Access for people with disabilities from the public domain and all car parking areas to all tenancies within the building are to be provided. Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted for the certification of the works. All details shall be prepared in consideration of, and construction completed to achieve compliance with the Building Code of Australia Part D3 "Access for People with Disabilities", provisions of the Disability Discrimination Act 1995, and the relevant provisions of AS1428.1 (2001) and AS1428.4.

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

20. Toilet facilities shall be provided for disabled persons in accordance with the design criteria in AS1428.1 (2001) - Design for Access and Mobility - General Requirements for Access - New Building Work. This requirement shall be reflected on the plans submitted for the certification of the works.

Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

21. Signs incorporating the international symbol of access for disabled persons must be provided to identify each accessible:

- (a) entrance
- (b) lift or bank of lifts; and
- (c) sanitary facility

This requirement shall be reflected on the plans submitted for the certification of the works and supporting documentation.

Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

22. 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 certifier before the certification of the works.

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

23. The building must be designed and certified by a registered structural engineer to ensure the building does not fail due to floodwater forces, debris and buoyancy effects from flooding in events up to the 1 in 100 year level plus 500mm freeboard.

Reason: To ensure the structure can withstand flooding impacts.

24. 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 be submitted before the certification of the works.

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

25. A construction phase site emergency response plan must be prepared, detailing evacuation procedure, storing of construction equipment and any procedures for the protection of the site on the occasion of a Fire, Flood or other Emergency event. Details must be submitted for Council approval prior to the certification of the works.

Reason: To ensure an effective site flood emergency plan is provided.

26. The structure, piling and foundations for the proposed marina must be designed by a qualified and experienced marine/structural engineer to comply with AS4997 (2005) - Guidelines for the design of maritime structures. This includes design for the following actions:

- a) Permanent and imposed actions (dead and live loads) – vessel berthing, mooring loads.
- b) Effects of scour and siltation, including temporary or permanent changes in the seabed level due to sediment movement.
- c) Wave actions. Minimum 1/500 Annual probability of exceedance of design wave events, for function category 2 and 50-year design life. Consider reflected waves from the seawall interacting with incident waves.
- d) Wind actions.
- e) Boat wake/ propeller wash.
- f) Debris actions (flood and storm surge).
- g) Boat collision.
- h) Current actions.
- i) Hydrostatic actions – using the highest design water level.
- j) Natural ocean level variation (associated with El Nino etc).
- k) Sea level rise and changes in water levels due to climate change throughout the structures' design life.

The design must also consider combined loads, and possible superimposition of concurrent actions.

Reason: Structural safety.

27. A monetary contribution comprising **\$270,062.23** is payable to the City of Parramatta Council in accordance with Section 7.11 or 7.12 of the Environmental Planning and Assessment Act 1979 and the *Auburn Development Contributions Plan 2007 (Amendment 1)*. Payment must be by EFTPOS, bank cheque or credit card only.

The contribution is to be paid to Council prior to the certification of the works.

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 *Auburn Development Contributions Plan 2007 (Amendment 1)* 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.

28. The certification of works is not to be issued unless the certifier 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.

29. An Environmental Enforcement Service Charge must be paid to Council prior to the certification of works. 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.

30. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the certification of the works.

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.

31. In accordance with Section 4.17(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 certification of the works.

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/643/2017;
- (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
Development Site Bond	\$25,000

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

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

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

32. Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, prior to the issue of the certifying works, the certifier shall be satisfied that the operation on an individual piece of equipment or operation of equipment in combination will not exceed LAeq 15 min 5dB (A) above the background level during the day when measured at the most affected point on or within a residential property boundary and shall not exceed the background level at night (10.00pm – 6.00am) when measured at the most affected point on or within a residential property boundary.

Note: A certificate from an appropriately qualified acoustic engineer is to be submitted with the construction plans, certifying that all mechanical ventilation equipment or other noise generating plan in isolation or in combination with other plant will comply with the above requirements.

Reason: To comply with best practice standards for residential acoustic amenity.

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

The Construction Noise Management Plan must include:

- (a) Identification of nearby residences and other sensitive land uses.
- (b) Assessment of expected noise impacts.
- (c) Detailed examination of feasible and reasonable work practices that will be implemented to minimise noise impacts.
- (d) Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes.

Reason: To prevent loss of amenity to the area.

34. The recommendations of the following reports are to be incorporated within the documentation and design details submitted with the documents for the certification of the works:

Document Report	Date
Geotechnical Report Project 84357 – Rev 0 prepared by Douglas Partners	23.09.2014
Remediation Action Plan – Dry Boat Store Project 2270635A – Rev D prepared by WSP	15.11.2017
Interim Audit Advice 52782-112743 prepared by JBS&G	18.12.2017
Marina & DBS - Marine Environment Assessment 301015-03538-004 – Rev 2 prepared by Worley Parsons	26.07.2017
Marina Concept Study 301015-03538-MA-REP-002 – Rev 2 prepared by Worley Parsons	26.07.2017
Noise Assessment 47.7090.R1:GA/DT/2017 - Rev 02 prepared by Atkins Acoustics and Associates Pty Ltd	July 2017

Energy Efficiency & Sustainability Concept Report – Dry Boat Storage Revision 2.1 prepared by Norman Disney & Young	26.07.2017
Crime Prevention Through Environmental Design (CPTED) Assessment 16789 prepared by JBA	25.07.2017
Construction Environmental Management Plan (CEMP) Preliminary Outline – Draft (concept - to be revised) Rev 1 prepared by Worley Parsons	26.07.2017
Operational Environmental Management Plan (OEMP) Preliminary Outline – Draft (concept - to be revised) Rev 1 prepared by Worley Parsons	26.07.2017

Note: Approval is not granted for any recommendations requiring work on public land, unless previous approval has been granted by Council.

The certifier shall be satisfied that the recommendations have been incorporated into the plans before the certification of the works.

Reason: To protect the amenity of the area and confirm the details submitted with the application.

35. Prior to the certification of the works, a further report including accompanying plans shall be submitted to the satisfaction of the certifier that provides details of the private contractor that will be engaged to collect commercial waste from the site. If Council is not the certifier 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.

36. 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 certifier 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.

37. The applicant is to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not:

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

The method of connection will be in line with Ausgrid's Electrical Standard (ES)1 - Premise Connection Requirements.

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

Note: The applicant is advised to visit Ausgrid's website, www.ausgrid.com.au about how to connect to Ausgrid's network.

Reason: To comply with the requirements of Ausgrid.

38. Documentary evidence to the satisfaction of the certifier is to accompany the construction documentation confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.

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

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

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

39. 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 the construction documentation and be to the satisfaction of the certifier. 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.

40. The dry boat store/car park facility is to include the following:

(a) A minimum of 198 car spaces

(b) A minimum of 30 bicycle spaces within the lot as shown on the plans

(c) A minimum of 4 motorbike spaces within the car park

Details are to be illustrated on plans submitted with the documentation for the certification of works to the satisfaction of the certifier.

Reason: To comply with Council's parking requirements.

41. A total of 5 accessible car-parking spaces must be provided as part of the total car-parking requirements (total car parking 198 spaces). These spaces and access to these spaces must comply with AS2890.6 - 'Parking facilities' - 'Off-street parking for people with disabilities and AS1428.1 - 'Design for access and mobility' - General requirements for access - New building work' 2001 and 2009 and AS1428.4 - 'Design for access and mobility' - 'Tactile ground surface indicators for orientation of people with vision impairment' - 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009.

Details are to accompany an application for the certification of works to the satisfaction of the certifier.

Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

42. The certifier shall ascertain that any new element in the 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 documentation for the certification of works.

Reason: To ensure appropriate vehicular manoeuvring is provided.

43. 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 for the certification of works.

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

44. 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.

45. 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.

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

Reason: To ensure appropriate drainage.

47. 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.

48. Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property. A de-watering plan is required to be included and submitted to Council for review prior to issue of a Construction Certificate.

Reason: To protect against subsidence, erosion and other nuisances.

49. A detailed updated stormwater water sensitive urban design (WSUD) plan is to be submitted to the Team Leader Technical Specialists for approval prior to the certification of works. The plan must be fully implemented prior to the issue of an Occupation Certificate/occupation of the premises and maintained in perpetuity thereafter. This detailed WSUD plan must incorporate:

- a) A high level of rainwater capture from the roof drainage system and proposals to use this water as a resource for the development.
- b) Method of treatment of the rainwater that is not harvested through a treatment train combining biological/landscape systems and if necessary 'end of pipe' proprietary treatment devices.
- c) One or more gross pollution traps prior to discharge of any stormwater into Homebush Bay/Parramatta River. This includes water from public domain areas and roads.
- d) MUSIC or equivalent modelling of how effectively the system achieves the pollution reduction targets required by the relevant Auburn and Wentworth Point DCPs.
- e) Long term maintenance details and responsibilities.

Reason: Environment protection and sustainability

50. The detailed updated overland flow design for the development (lot 204) is to be submitted to the Team Leader Technical Specialists for approval prior to the certification of works. This must demonstrate that overland flow can pass freely into the bay and is not impounded by the development along the entire length of new seawall and promenade and including the Burroway Road cul-de-sac construction as per the approved plans.

Reason: Environment protection.

Prior to Work Commencing

51. Prior to commencement of work, the person having the benefit of the Development Consent and certification of works approval must:

- (a) Appoint a certifier 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 certifier must determine and advise the person having the benefit of the certification of works when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

52. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site on land above mean high water mark to prevent unauthorised access. The fence must be installed to the satisfaction of the certifier prior to the commencement of any work on site.

Reason: To ensure public safety.

53. 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 certifier;
- (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.

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

Reason: To ensure adequate toilet facilities are provided.

55. The detailed civil construction drawings for the reconstruction of the Burroway Road turning circle adjoining the site are to be submitted to the satisfaction of Council's Manager, Civil Assets before the commencement of any works on Burroway Road.

Reason: To ensure Council is satisfied with the final design of Burroway Road.

56. 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 certifier, 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.

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

- (a) Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:

- (i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- (ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
- (iii) The locations of proposed Work Zones in the egress frontage roadways,
- (iv) Location of any proposed crane standing areas,
- (v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- (vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- (vii) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
- (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
- (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 traffic management plan shall incorporate the provision of parking of worker's vehicles on the site.

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.

58. 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.

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

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

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

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.

61. 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.

62. 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.

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

Reason: To ensure adequate stormwater infrastructure is provided.

64. 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. This includes, but is not limited to, the following measures:

- i. A silt curtain
- ii. A minimum 500mm depth of pea gravel above the areas where piles are to be installed.
- iii. A water quality monitoring strategy within the river at the construction site.

In addition, the erosion and sediment control strategy must comply with the recommendations of the report 'Environmental Management Plan (Final), Homebush Bay Sediments, dated 06/11/2014, prepared by Thiess'. 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.

65. 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.

66. 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.

67. 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.

68. 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 Council's adopted 'Fees and Charges' will need to be paid at the time of lodgement.

Note 1: This development consent is for works wholly within the property (unless specified). 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.

69. Seawall reconstruction works within the site frontage, approved under DA-40/2015 (Auburn Reference), must be completed prior to commencement of foundation works for this development. Notwithstanding, concurrent construction may be carried out for the following works:

- Construction of the rowing club structures that interfaces the promenade including services.
 - Construction of the Dry Boat Store channel, bridge, promenade structures and finishes
 - Construction of the Marina interface of the entrance deck/platform
 - Construction of the Kayak entrance platform structure
- Reason:** To protect the environment.

During Work

70. All work is to comply with the requirements contained within the approved Construction and Environmental Management Plan (CEMP) as approved through Condition 7 of this consent.
- Reason:** To minimise the impacts of construction on the environment.
71. 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.
72. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Council's Guidelines for Controlling Dust from Construction Sites and Section 126 of the Protection of the Environment Operations Act 1997.
- Reason:** To protect the amenity of the area.
73. 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.
74. All work 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.
- Reason:** To protect the amenity of the area.
75. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:
- (a) The date and time of the complaint;
 - (b) The means by which the complaint was made;
 - (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that affect;
 - (d) Nature of the complaints;
 - (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the 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 certifier upon request.

Reason: To allow the certifier/Council to respond to concerns raised by the public.

76. 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.

77. Works are not to result in sedimentation and/or run-off from the approved works onto the adjoining properties, public lands or the receiving waterway. The person having the benefit of this consent must ensure that sediment within Homebush Bay is not mobilised as a result of construction works.

Reason: To ensure no adverse impacts on neighbouring properties or the environment.

78. 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.

79. 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 before the issue of an Occupation Certificate/occupation of the premises.

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

80. 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.

81. Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within the City of Parramatta LGA.

Reason: To ensure maintenance of Council's assets.

82. 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 are met.

83. 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.

84. 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.

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

(a) Work Health and Safety Act 2011

(b) NSW Protection of the Environment Operations Act 1997 (NSW) and

(c) NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

Reason: To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner.

86. The applicant is to engage an NSW EPA accredited site auditor to undertake an independent assessment of the site investigation (remediation) and (validation) report to address the requirements of section 47(1) (b) of the Contaminated Land Management Act 1997. A site audit statement is to be submitted to Council and the principal certifying authority on the completion of remediation works

Reason: To ensure the contamination assessment report has adhered to appropriate standards, procedures and guidelines.

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

Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

(a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or

(b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines

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

88. A sign displaying the contact details of the remediation shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.

Reason: To provide contact details for council inspectors and for the public to report any incidents.

89. 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.

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

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

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

91. All remediation works shall be carried out in accordance with clauses 17 and 18 of State Environmental Planning Policy 55 - Remediation of Land.

Reason: To comply with the statutory requirements of State Environmental Planning Policy 55.

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

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

The required inspections include the followings:

- Commencement of public domain works including tree protection measures installed and set out of tree pits;
- Subgrade inspection following excavation for footings, drainage and pavements, tree pits showing root barriers, structural soil cell, sub-surface drainage and irrigation system as required;
- Installation of required underground conduits;
- Blinding layer/concrete slab based completion and initial (indicative) set out of pavers street fixtures and fittings as applicable to ensure compliance with the requirements in the Public Domain Guidelines;
- Commencement of the works including survey marks, sub-grade preparation and set out of kerb alignments;
- Completion of concrete blinding layer before any paver to be laid; and set out/location of furniture installation;
- Completion of (raised) planting beds with required sub-drainage layer installed as specified. Procured soil media specifications and docket receipts to be signed at this inspection;
- Completion of unit (granite) paving and furniture (seatings) installation. Manufacturer's warranty and maintenance information for all proprietary products shall be provided to Council's Inspection Officer; and
- Completion of paving sealant application and tactile indicator installation as per Council's specification.
- Delivery of street trees to site. Trees shall be installed within 24hrs of delivery; The contractor shall provide Council Officer the NATSPEC document to prove the quality of the tree stock.
- Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

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

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

93. 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 Public Domain Guidelines. Certification is required to be provided before the issue of an Occupation Certificate/occupation of the premises.

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

Prior to the issue of an Occupation Certificate or Occupation whichever occurs first

94. Occupation or use of the building or part of the building is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 and 6.10 of the Environmental Planning and Assessment Act 1979, or until certification has been provided that all conditions of the consent have been complied with, including the completion of all certified works.

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

95. A detailed **Operational and Environmental Management Plan (OEMP)** is to be prepared and include, but not be limited to, the following:

- The inclusion of management and mitigation measures to ensure risks to future users of the marina are also considered and managed.
- The undertaking of annual hydrographic surveys of the facility for the first five years following completion of the facility. The survey should also include a water quality and benthic sediment quality and a contamination assessment. The annual assessment must assess for dioxin and DDT contamination, and water quality parameters, to determine the effects of the development compared to baseline (pre-construction) levels. Increased levels of contamination in environmental media sampled or a decrease in water quality must prompt immediate reporting to the NSW EPA and reassessment of management controls. Annual reporting should be submitted to the NSW EPA.
- Users of the marina facility should be informed and educated about the contamination issues within Homebush Bay and the requirements to minimise the remobilisation of sediments and their exposure to sediments. This should include adequately visible and clearly articulated signage visible from the pontoon to alert users before they enter the water.
- Any repairs to the facility undertaken that could disturb the sediment should be done in a manner that ensures minimal disturbance. In addition, the NSW EPA should be notified of any repairs or maintenance work that might disturb sediments.
- Measures for the enforcement of speed limits within the channel and appropriate usage of vessel channels
- Detailed design plans for the installation of the navigational channel and appropriate traffic controls
- The incorporation of a long term environmental management plan
- The provision of lighting to minimise light spill to waterways
- The development of provisions to ensure that watercraft does not encroach onto restricted "No Go Zones" including Haslams Creek (upstream of Bennelong Road Bridge) and the southern end of Homebush Bay (all waters to the east of Sydney Olympic Park Waterbird Refuge, including Powells Creek)

- Appropriate provision of litter bins.

The detailed Operational and Environmental Management Plan (OEMP) is to be reviewed and approved by the site auditor. Once approved by the site auditor, the CEMP is to be submitted to Council and NSW EPA for review and endorsement before the issue of any Occupation Certificate/occupation of the premises.

Reason: To ensure mitigation of risks to human health and the environment from remobilisation of contaminated sediments.

96. A covenant shall be registered on the title of the land and a copy of the title submitted to Council and the certifier prior to the issue of an occupation certificate/occupation of the premises, giving notice of the former use and contamination of the site and the existence of the contaminated material for the land-based component of works

Reason: To ensure that the encapsulated contamination cell is not breached and to prevent the future occurrence of a health hazard and the spread of contamination.

97. A covenant shall be registered on the title of the land binding the owners and future owners to be responsible for ongoing maintenance and any future rehabilitation works required in terms of the capping materials, including the discharge or prevention of discharge there from of any contaminants or for any works required by the Environment Protection Authority. A copy of the title is to be submitted to Council and the certifier prior to the issue of an occupation certificate/occupation of the premises.

Reason: To ensure that the capping is not breached and to prevent the future occurrence of a health hazard and the spread of contamination.

98. Prior to the issue of an Occupation Certificate/occupation of the premises, the following easements shall be created over Lot 203 and Lot 204 as they relate to the usage of the premises:

(a) Pedestrian rights of way shall be created over the public domain areas on the site as follows:

- (i) To be created in favour of City of Parramatta Council; and
- (ii) Allow for 24 hour public access

(b) Right of carriageway over Lot 203 for the provision of emergency access

(c) Restriction of use/rights of carriageway over Lot 204 to enable the use of car parking spaces, waste facilities and loading facilities for the rowing club (in accordance with DA/643/2017) and the wet berth marina.

Reason: To confirm the details of the application and appropriate legal access to the premises and facilities.

99. Subject to the approval of the Parramatta Traffic Committee under Delegated Authority, the applicant shall submit an application to Council's Service Manager - Traffic and Transport regarding the installation of the parking restrictions on Burroway Road at least 4 months prior to the final occupation of the building as works instruction will need to be forwarded to Council's Trades Supervisor for implementation. The cost of supply and installation of the appropriate signs are to be paid by the applicant at no cost to Council.

Reason: To ensure that appropriate parking is provided before the occupation of the site.

100. Before the commencement of any use within the premises, details of the proposed signage (in accordance with the relevant signage zones approved within this consent) shall be submitted to, and approved by the Manager, Development & Traffic Services. Details shall include the materials used, signage dimensions, wording and illumination.

Reason: To ensure the signage detail complies with the provisions of State Environmental Planning Policy 64 – Advertising and Signage

101. The certifier shall be responsible for ensuring the recommendations of the following reports have been incorporated within the design and construction of the development:

Document Report	Date
Geotechnical Report Project 84357 – Rev 0 prepared by Douglas Partners	23.09.2014
Remediation Action Plan – Dry Boat Store Project 2270635A – Rev D prepared by WSP	15.11.2017
Interim Audit Advice 52782-112743 prepared by JBS&G	18.12.2017
Marina & DBS - Marine Environment Assessment 301015-03538-004 – Rev 2 prepared by Worley Parsons	26.07.2017
Marina Concept Study 301015-03538-MA-REP-002 – Rev 2 prepared by Worley Parsons	26.07.2017
Noise Assessment 47.7090.R1:GA/DT/2017 - Rev 02 prepared by Atkins Acoustics and Associates Pty Ltd	July 2017
Energy Efficiency & Sustainability Concept Report – Dry Boat Storage Revision 2.1 prepared by Norman Disney & Young	26.07.2017
Crime Prevention Through Environmental Design (CPTED) Assessment 16789 prepared by JBA	25.07.2017
Construction Environmental Management Plan (CEMP) Preliminary Outline – Draft (concept - to be revised) Rev 1 prepared by Worley Parsons	26.07.2017
Operational Environmental Management Plan (OEMP) Preliminary Outline – Draft (concept - to be revised) Rev 1 prepared by Worley Parsons	26.07.2017

Certification from appropriately qualified consultants shall be submitted to the certifier confirming that all relevant works have been carried out or complied with before the issue of an Occupation Certificate/occupation of the premises.

Reason: To ensure the recommendations of the reports have been implemented within the development.

102. Prior to issue of the occupation certificate/occupation of the premises, 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.

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

Reason: To ensure appropriate electricity services are provided.

104. 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, or occupation of the premises permitted 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.

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 and or infrastructure.

The report is to be submitted to the certifier prior to the issue of the occupation certificate/occupation of the premises. In ascertaining whether adverse structural damage has occurred to adjoining buildings/ infrastructure, the certifier must compare the post-construction dilapidation report with the pre-construction dilapidation report, and

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

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

106. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Occupation Certificate/occupation of the premises. 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.

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

- (a) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- (b) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- (c) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).

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

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

108. 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.

109. An evacuation report and procedure shall be prepared by an appropriate consulting engineer. This report is to demonstrate how the occupants of the development will egress the site in the early stages of a storm event, together with how they will seek

refuge in a peak stormwater event (i.e. first floor of the building etc.). It must also detail measures to be taken by the marina and dry boat store operators in the lead-up to inclement weather to secure boats/pontoons, to prevent them from becoming pollutants in the event of a flood. The report shall be submitted to the certifier prior to the issue of the Occupation Certificate/occupation of the premises. A copy of the report shall be forwarded to Council.

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

110. Warning signs are to be strategically posted around the site, particularly near entry points, to warn intruders of security measures in force (such as: *“Warning these premises are under constant surveillance”*) before the issue of any Occupation certificate/occupation of the premises.

Reason: To reduce the opportunity of crime and protect the amenity of the area.

111. Prior to the issue of any Occupation Certificate/occupation of the premises, the works outlined in the approved Public Domain Construction Drawings must be completed to Council’s satisfaction with a **final approval** obtained from Council’s Assets & Environment Manager.

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

Council will issue the **final approval** for public domain works in accordance with the approved public domain documentation under this consent and to Council’s satisfaction. A **final inspection** will be conducted by Council staff after all the works are completed and the defects identified during inspections are rectified. The Certificate of Completion shall not be issued until Council’s final approved is obtained.

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

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

112. Before the issue of an Occupation certificate, or occupation of the building, a car parking management plan shall be submitted to the satisfaction of the Manager, Traffic Services that outlines how the car park will operate and the securement of allocated car spaces for the rowing club uses.

Reason: To ensure the car park operates efficiently and in accordance with the relevant approvals.

The Use of the Site

113. The uses approved under this consent may not operate until such time as the car park has been constructed and is operational or an interim car parking arrangement is agreed by Council.

Reason: To ensure the appropriate timing of works.

114. The use of the premises approved under this consent cannot operate until such time as the relevant works under DA-40/2015 (Auburn Reference) associated with the use have

been constructed and certified as complete (unless interim facilities/works are agreed to by Council and provided to support the Marina and Dry Boat Store). These works include (but are not limited to):

- *Remediation, earthworks, seawall, promenade construction along Homebush Bay lots 203 and 204.*
- *Burroway Road cul-de-sac including promenade and public domain works.*
- *The construction of the Dry Boat Store carpark and operational facilities for the rowing club.*

Reason: To ensure the appropriate timing of works.

115. The operation of the premises is to comply with the requirements contained within the approved Operational and Environmental Management Plan (OEMP) as approved through Condition 95 of this consent.

Reason: To minimise the impacts of construction on the environment.

116. A closed-circuit television system (CCTV) must be maintained on the premises in accordance with the following requirements:

- (a) The system must record continuously
- (b) Recordings must be in digital format and at a minimum of 15 frames per second
- (c) Any recorded image must specify the time and date of the recorded image
- (d) The system's cameras must cover all publicly accessible areas (other than toilets) on the premises.

The person acting upon this consent must also keep all recordings made by the CCTV system for at least 30 days, and ensure that the system is accessible by at least one member of staff at all times it is in operation, and provide any recordings made by the system to a police officer or inspector within 24 hours of any request by a police officer or inspector to provide such recordings.

Reason: To minimise the opportunity for crime to occur and comply with the requirements of the NSW Police.

117. The hours of operation are restricted to:

Activity	Hours of Operation
Wet berth marina	7am to 7pm daily
Dry boat store	
- Boat Access	7am to 7pm daily
- Ancillary	7am to 10pm daily
Retail Tenancies	7am to 10pm daily
Car Park	7am to 1am daily

Reason: To protect the amenity of the area.

118. 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.

119. 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.
120. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.
Reason: To ensure the removal of graffiti.
121. A waste storage room is to be provided on the site and shall be constructed to comply with the following:
- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
 - (b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
 - (c) The walls being cement rendered to a smooth, even surface and coved at all intersections;
 - (d) Cold water being provided in the room with the outlet located in a position so that it cannot be damaged and a hose fitted with a nozzle being connected to the outlet;
 - (e) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.
- Reason:** To ensure provision of adequate waste storage arrangements.
122. 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.
123. 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.
124. Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.
Reason: To ensure waste is adequately stored within the premises.
125. 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.
126. 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.
127. A trade waste agreement shall be obtained from Sydney Water prior to the discharge of any trade wastewater (including oily bilge) to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'. Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund.
Reason: To ensure proper disposal of waste water.

128. No spray painting is permitted on the premises.
Reason: To protect the amenity of the neighbourhood.
129. All loading and unloading must take place within the designated loading area within the dry boat store located on the subject property and wholly within the site at all times.
Reason: To protect the amenity of the neighbourhood.
130. Any air conditioner/s must not: (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
(i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
(ii) before 7.00am and after 10.00pm on any other day.
(iii) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those specified in (i) and
(iv) above, which exceeds the background (LA90, 15 minute) by more than 5dB(A).
The source noise level must be measured as a LAeq 15 minute.
Reason: To prevent loss of amenity to the area.
131. Any retail tenancies are restricted from having alcohol stored on site unless they are authorised by a liquor licence.
Reason: To ensure the appropriate licences are obtained before the storage and/or sale of alcohol and protect the amenity of the area.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

NSW EPA Licensing

The applicant or person acting upon this consent will need to obtain the following licences from the NSW EPA:

- A Scheduled Development Works License under the provisions of the POEO before the commencement of any works in relation to this application
- An Environmental Protection Licence under the provisions of the POEO before the occupation of any building or structure in relation to this application.

It is recommended that you contact the NSW Environment Protection Authority to obtain the above licences as required.

Sydney Water Requirements

Sydney Water have advised of the following requirements for this development:

Water

- *Our initial strategic investigation shows that there is sufficient capacity in the trunk water system to supply drinking water to the proposed development.*
- *However, the existing 150mm water main on Burroway Road fronting the development site will need to be upsized to a 250mm water main to service the proposed site.*

Wastewater

- *There is no existing wastewater available to service the proposed development.*
- *Servicing the site will depend on the construction and completion of the pressure sewers proposed under Sydney Water cases 145024WW and 152313WW in proximity of the proposed site. Sydney Water gives no assurance of the status or timeframe of these works. For more information about these cases, please contact Water Servicing Coordinators: Qalchek Pty Ltd and MGP Building & Infrastructure Service Pty Ltd.*
- *The developer will need to construct a low -pressure wastewater main in Burroway Road connecting abovementioned sewers to service the proposed development.*

This advice is not a formal approval of our servicing requirements. Detailed requirements, including any potential extensions or amplifications, will be provided once the development is referred to Sydney Water for a Section 73 certificate.

More information about the Section 73 application process is available on the Sydney Water web page in the Land Development Manual.

Ausgrid Requirements – Proximity to Underground Cables

Ausgrid have advised of the following requirements for this development:

- There are existing underground electricity network assets in Burroway Road.
- There are existing Submarine cable in Parramatta River from the end of Burroway Road Wentworth Point. Ausgrid cannot guarantee the exact location of the cables.
- Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath.
- Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.
- Should the existing submarine cables or any other Ausgrid assets require relocating due to the minimum safety clearances being compromised, this relocation work is generally at the developers cost via the contestability process.
- Safework Australia - Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.