

**Draft conditions set – DA/888/2017 – 32 Smith Street & 93-95 Phillip Street, Parramatta**

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

<b>Drawing Name</b>	<b>Prepared By</b>	<b>Dated</b>
SITE PLAN, DA102, Rev. 8	Fender Katsalidis	02.02.2018
DEMOLITION PLAN, DA006, Rev. 6	Fender Katsalidis	06.10.2017
GROUND FLOOR SITE PLAN, DA101, Rev. 8	Fender Katsalidis	02.02.2018
GROUND FLOOR PLAN, DA103, Rev. 8	Fender Katsalidis	02.02.2018
LEVEL 01 - PLANT, DA104, Rev. 8	Fender Katsalidis	02.02.2018
LEVEL 02 – THIRD SPACE, DA105, Rev. 8	Fender Katsalidis	02.02.2018
LEVEL 03 – CARPARK 1 DA106, Rev. 8	Fender Katsalidis	02.02.2018
LEVEL 4 – CARPARK 2 DA107, Rev. 7	Fender Katsalidis	21.11.2017
LEVEL 5 – CARPARK 3 DA108, Rev. 7	Fender Katsalidis	21.11.2017
LEVEL 6 – PLANT/CARPARK/END OF TRIP DA109, Rev. 8	Fender Katsalidis	02.02.2018
LEVEL 7 – COMMERCIAL LR OASIS DA110, Rev. 7	Fender Katsalidis	21.11.2017
LEVEL 8–16 COMMERCIAL LR TYPICAL DA111, Rev. 8	Fender Katsalidis	02.02.2018
LEVEL 17 – COMMERCIAL LOR DA112, Rev. 7	Fender Katsalidis	21.11.2017
LEVEL 18 – COMMERCIAL LMR DA113, Rev. 7	Fender Katsalidis	21.11.2017
LEVEL 19–24 COMMERCIAL HR DA114, Rev. 7	Fender Katsalidis	21.11.2017
LEVEL 25 – ROOF TERRACE DA115, Rev. 7	Fender Katsalidis	21.11.2017
LEVEL 26 – PLANT DA116, Rev. 7	Fender Katsalidis	21.11.2017
LEVEL 27 – PLANT DA117, Rev. 7	Fender Katsalidis	21.11.2017
ROOF PLAN DA118, Rev. 7	Fender Katsalidis	21.11.2017
ELEVATION – WEST DA201, Rev. 8	Fender Katsalidis	02.02.2018
ELEVATION – NORTH DA202, Rev. 8	Fender Katsalidis	02.02.2018
ELEVATION – EAST	Fender Katsalidis	21.11.2017

DA203, Rev. 7		
ELEVATION – SOUTH DA204, Rev. 7	Fender Katsalidis	21.11.2017
SITE SECTION NORTH/SOUTH DA205, Rev. 2	Fender Katsalidis	21.11.2017
SITE SECTION EAST/WEST DA206, Rev. 2	Fender Katsalidis	21.11.2017
PODIUM ELEVATION - WEST DA210, Rev. 8	Fender Katsalidis	02.02.2018
PODIUM ELEVATION - NORTH DA211, Rev. 8	Fender Katsalidis	02.02.2018
PODIUM ELEVATION - EAST DA212, Rev. 7	Fender Katsalidis	21.11.2017
PODIUM ELEVATION - SOUTH DA213, Rev. 7	Fender Katsalidis	21.11.2017
ROOF TOP ELEVATION – WEST DA220, Rev. 7	Fender Katsalidis	21.11.2017
ROOF TOP ELEVATION – NORTH DA221, Rev. 6	Fender Katsalidis	06.10.2017
ROOF TOP ELEVATION – EAST DA222, Rev. 7	Fender Katsalidis	21.11.2017
ROOF TOP ELEVATION – SOUTH DA223, Rev. 7	Fender Katsalidis	21.11.2017
SECTION AA DA301, Rev. 7	Fender Katsalidis	02.02.2018
SECTION BB DA302, Rev. 6	Fender Katsalidis	06.10.2017
SECTION CC DA303, Rev. 6	Fender Katsalidis	06.10.2017
PODIUM SECTION AA DA310, Rev. 7	Fender Katsalidis	02.02.2018
PODIUM SECTION BB DA311, Rev. 6	Fender Katsalidis	06.10.2017
PODIUM SECTION CC DA312, Rev. 6	Fender Katsalidis	06.10.2017
ROOF TOP SECTION BB DA320, Rev. 6	Fender Katsalidis	06.10.2017
TYPICAL FAÇADE SECTIONS DA330, Rev. 8	Fender Katsalidis	02.02.2018
TYPICAL FAÇADE SECTIONS DA331, Rev. 3	Fender Katsalidis	06.10.2017
TYPICAL FAÇADE RETAIL SECTION DA332, Rev. 1	Fender Katsalidis	09.10.2017
TYPICAL ROOF TERRACE DETAILS DA333, Rev. 1	Fender Katsalidis	09.10.2017
TYPICAL FACADE DETAILS - ARUP DA334, Rev. 1	Fender Katsalidis	09.10.2017
TYPICAL CARPARK FAÇADE DETAILS DA335, Rev. 6	Fender Katsalidis	06.10.2017
MATERIALS BOARD DA501, Rev. 6	Fender Katsalidis	06.10.2017
PERSPECTIVE – HERO 1 DA502, Rev. 6	Fender Katsalidis	06.10.2017
PERSPECTIVE – HERO 2	Fender Katsalidis	06.10.2017

DA503, Rev. 6		
PERSPECTIVE – HERO 3 DA504, Rev. 6	Fender Katsalidis	06.10.2017
PERSPECTIVE – LIFT CORE DA505, Rev. 6	Fender Katsalidis	06.10.2017
PERSPECTIVE –SMITH ST DA506, Rev. 6	Fender Katsalidis	06.10.2017
PERSPECTIVE –URBAN ROOM DA507, Rev. 6	Fender Katsalidis	06.10.2017
PERSPECTIVE –LOBBY INTERNAL DA508, Rev. 6	Fender Katsalidis	06.10.2017
AREA SCHEDULES DA601, Rev. 7	Fender Katsalidis	02.02.2018
GFA PLANS – SHEET 01 DA602, Rev. 8	Fender Katsalidis	02.02.2018
GFA PLANS – SHEET 02 DA603, Rev. 8	Fender Katsalidis	02.02.2018
PRECEDENT IMAGES DA701, Rev. 5	Fender Katsalidis	02.02.2018
SITE PLAN LANDSCAPE DA703, Rev. 6	Fender Katsalidis	02.02.2018
SECTION AA DA704, Rev. 4	Fender Katsalidis	06.10.2017
SECTION BB DA705, Rev. 4	Fender Katsalidis	06.10.2017
JAMES LANE SECTION DA706, Rev. 6	Fender Katsalidis	02.02.2018
WILLIAM LANE SECTION DA707, Rev. 6	Fender Katsalidis	02.02.2018
TERRACE TREATMENT – PODIUM ROOF DA708, Rev. 5	Fender Katsalidis	22.11.2017
TERRACE TREATMENT – LEVEL 7 OASIS DA709, Rev. 5	Fender Katsalidis	22.11.2017
TERRACE TREATMENT – LEVEL 25 ROOF TERRACE DA710, Rev. 1	Fender Katsalidis	22.11.2017
PUBLIC DOMAIN PLAN DA801, Rev. 3	Fender Katsalidis	02.02.2018
PUBLIC DOMAIN DETAIL – SMITH ST DA802, Rev. 3	Fender Katsalidis	02.02.2018
PUBLIC DOMAIN DETAIL – PHILLIP ST DA803, Rev. 2	Fender Katsalidis	02.02.2018
PUBLIC DOMAIN DETAIL – URBAN ROOM DA805, Rev. 1	Fender Katsalidis	02.02.2018
TURNING PATHS - VERTICAL CLEARANCE CHECK INTERNAL RAMPS SKT009, Rev. A	ARUP	09.01.2018
GENERAL ARRANGEMENT PHILLIP ST – SMITH ST ALIGNMENT CV-0101, Rev. 3	Enstruct Pty Ltd	02.02.2018
LONG SECTION – SHEET 1 CV-0601, Rev. 3	Enstruct Pty Ltd	02.02.2018
LONG SECTION – SHEET 2	Enstruct Pty Ltd	02.02.2018

CV-0602, Rev. 3		
CROSS SECTION – SHEET 1 CV-0701, Rev. 3	Enstruct Pty Ltd	02.02.2018
CROSS SECTION – SHEET 2 CV-0702, Rev. 3	Enstruct Pty Ltd	02.02.2018
CROSS SECTION – SHEET 3 CV-0703, Rev. 3	Enstruct Pty Ltd	02.02.2018
CROSS SECTION – SHEET 4 CV-0704, Rev. 3	Enstruct Pty Ltd	02.02.2018
CROSS SECTION – SHEET 5 CV-0705, Rev. 3	Enstruct Pty Ltd	02.02.2018

<b>Document(s)</b>	<b>Prepared By</b>	<b>Dated</b>
Statement of Environmental Effects	Urbis	October 2017
DA Design Report – Volume 4	Fender Katsalidis	October 2017
Pedestrian Wind Environment Study (WD633-02F03) Revision 5	Windtech Consultants Pty Ltd	7 February 2018
Geotechnical and Acid Sulphate Soils Investigation	Douglas Partners Pty Ltd	December 2017
Assessment of SEPP55 Compliance	Douglas Partners Pty Ltd	12 December 2017
Acid Sulphate Management Plan	Douglas Partners Pty Ltd	November 2017
Arboricultural Impact Assessment Report	Glenyss Laws Consulting Arborist	23 November 2017
Preliminary Site Investigation	JBS&G	21 August 2017
Flooding Report	Molino Stewart Pty Ltd	6 October 2017
Flood Emergency Response Plan	Molino Stewart Pty Ltd	October 2017
Stormwater Management Report	Enstruct Pty Ltd	September 2017
ESD Summary	Cundall	16 August 2017
Sustainability Statement	Cundall	23 November 2017
Fabric & Shading Analysis, Revision D.	Cundall	10 August 2017
QS Report	Slattery	15 September 2017
Public Art Plan	Overton Creative Consulting Pty Ltd	27 September 2017
Heritage Impact Statement	Urbis	25 September 2017
Due Diligence Aboriginal Archaeological Assessment	Archaeological Management & Consulting Group & Streat Archaeological Services	August 2017

Baseline Archaeological Assessment	Archaeological Management & Consulting Group	September 2017
Reflectivity Report	ARUP	7 September 2017
Traffic & Transport Assessment	ARUP	6 October 2017
Building Code of Australia Assessment Report	City Plan Services	6 October 2017
Access Review	Morris Goding Accessibility Consulting	13 September 2017
Waste Management Plan	A. Prince Consulting	October 2017

### **BUILDING CODE OF AUSTRALIA AND AUSTRALIAN STANDARDS**

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

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

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

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

### **DEMOLITION**

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

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

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

(a) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat

or unit, if any). The demolition must not commence prior to the date stated in the notification.

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

- (h) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (i) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (j) 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.
- (k) Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.
- (l) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (m) Before demolition works begin, adequate toilet facilities are to be provided.
- (n) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (o) Within 14 days of completion of demolition, the applicant must submit to Council:
  - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
  - (i) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
  - (ii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

**Reason:** To protect the amenity of the area.

## **ENGINEERING (FLOODING)**

5. The building and site are subject to flooding and the following are required.
- a) The building must be designed to remain structurally sound during and after a probable maximum flood (PMF) and be able to resist the forces of floodwaters, debris and buoyancy. Certification of this by an appropriately qualified engineer must be provided to the PCA prior to release of both the Construction and Occupation Certificates.
  - b) Habitable floors and other flood-sensitive uses shall be set at a minimum of the Flood Planning Level (8.5m AHD) except as shown on drawing number DA101 Rev 6 "Ground Floor Site Plan" by Fender Katsalidis.
  - c) The building is not to adversely affect flood behaviour on site or to the surrounding area, including flood conveyance and significant loss of flood storage, at least to the Flood Planning Level of 8.5m AHD.
  - d) For events greater than the Flood Planning Level up to the Probable Maximum Flood (PMF = 11.7m AHD) the landowner must provide and maintain in perpetuity safe shelters/refuges for occupants and the public. All occupants and visitors of the business premises on the site must be able to access a designated public area above the PMF level which is of sufficient size to safely shelter until flooding subsides. This area should have access to toilets and potable water in a location which is above the PMF level.
  - e) Electrical, water, wastewater and lift systems must be designed to function in an emergency mode, as a minimum, for the duration that the building is isolated by floodwaters

The Landowner must provide to the PCA satisfactory evidence of meeting all of the above requirements prior to release of the Occupation Certificate.

**Reason:** To managing flood impacts

## **HEALTH (CONTAMINATION)**

6. 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.
7. 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.

8. 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.

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

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

#### **CITY ARCHITECT**

10. In order to ensure the design excellence quality of the development is retained:

(a) The architectural design team comprising Fender Katsalidis is to have direct involvement in the design documentation, contract documentation and construction stages of the project (including signing off any required certifications at DA, S96 Applications, Construction Certificate and Occupation Certificate stages).

(b) The design architect's team is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of any design issues throughout the life of the project.

(c) Evidence of the design architect's team commission is to be provided to the Council prior to release of the relevant Construction Certificate.

(d) Council's Design Competition Panel (Design Excellence Jury) is to review and provide comment on the architectural drawings, landscape drawings and samples of all external materials, in particular the external glazing and façade detailing prior to the relevant issue of any Construction Certificate and any Occupation Certificate.

(e) The design architect's team of the project is not to be changed without prior notice and approval of the Design Excellence Jury.

The Principal Certifying Authority must be satisfied that the above matters have been complied with, in accordance with written confirmation from City of Parramatta Council.

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

## **SUBDIVISION**

11. No approval is given for subdivision of the site. A separate application is required for such works.

**Reason:** To ensure the development is in accordance with the terms of the application.

## **OTHER**

12. No approval is given for internal fit-out works or uses of any retail tenancy. Separate applications are required for such works/uses.

**Reason:** To ensure the development is in accordance with the terms of the application.

## **Prior to the issue of a Construction Certificate**

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

## **ENGINEERING (STORMWATER & FLOODING)**

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

**Reason:** To ensure satisfactory stormwater disposal.

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

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

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

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

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

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

16. 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 events up to the 1 in 100-year level plus 500mm freeboard.  
**Reason:** To ensure the structure can withstand flooding impacts.

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

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

i. Stormwater Management Report by Enstruct Revision A. Sept 2017

- (b) Adequate grate(s) to be provided so the OSD tank storage areas can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tanks.
- (c) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

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

18. A WSUD stormwater management system must be installed to manage rainwater and stormwater on the site and must satisfy section 3.3.6.1 of Parramatta City Council Development Control Plan 2011. This must be generally in accordance with the "Stormwater Management Report" by Enstruct Revision A Sept 2017 as approved with this Consent.

Full details of the proposed system and locations must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.

**Reason:** To ensure appropriate water management measures are in place.

19. Where shoring will be located on or will support Council property, engineering details of the shoring are to be prepared by an appropriately qualified and practising structural engineer. These details are to include the proposed shoring devices, the extent of encroachment and the method of removal and de-stressing of the shoring elements. These details shall accompany the application for a Construction Certificate. A copy of this documentation must be provided to Council for record purposes. All recommendations made by the qualified practising structural engineer must be complied with.

**Reason:** To ensure the protection of existing public infrastructure and adjoining properties.

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

**Reason:** To ensure appropriate drainage.

21. A site construction phase 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 PCA approval prior to release of any Construction Certificate.

**Reason:** To ensure site safety.

22. A comprehensive construction phase soil and water management plan must be submitted for the approval of the PCA prior to release of the first Construction Certificate. This plan must consider how the site will be managed as a whole and must focus on the protection of environment, existing infrastructure and human safety by addressing the following issues:

- i) Bunding must be provided to the Flood Planning Level (RL 8.5 m AHD) around the excavation site and all equipment and materials storage areas.
- i) Calculations of expected groundwater inflow, and detailed plans for excavation cavity dewatering including treatment methods and discharge rates. The location of any proprietary treatment and pumping devices onsite must also be indicated on the consolidated excavation plan.
- ii) All stormwater incident on the construction site must be collected and appropriately disposed of in a manner that does not increase the flood risk for the catchment area or degrade the quality of water being disposed of to Council stormwater infrastructure. The proposed methods of collection, treatment and disposal for the entire excavation must be shown on the integrated plan and detailed in the report.
- iii) Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to include, but not be limited to:
  - a. Vehicle wheel wash, cattle grid, wheel shaker or other appropriate device to remove sediment from vehicle wheels.
  - a. A sediment trapping fence, made of a geotechnical textile specifically designed for such a purpose and installed and maintained to manufacturer's specifications, placed below the disturbed area of the construction site along contours.
  - b. Vehicle access shall be restricted to one designated point, and vehicle driveways are to be adequately covered at all times with blue metal or the like.
  - c. The protection of all stormwater collection pits in the vicinity of the works.

- d. The protection of all stockpiled construction waste and materials.

Details of the above must be shown on the plan and outlined in the report.

- iv) Full plant and equipment details, including the location of any proposed access ramps, cranes, site entry points etc.
- v) An operational and monitoring plan.
- vi) Geotechnical recommendations must be prepared by a qualified geotechnical engineer and must address the following:
  - i. Contours of expected horizontal and vertical ground movement associated with excavation and support retention works proposed for the development.
  - ii. Mitigation measures for possible temporary groundwater drawdown whilst the excavation cavity is exposed, prior to construction of the tanked basement.
  - iii. A monitoring and record keeping plan for the timing and extent of excavation and timing, location and details of support works, to be carried out during excavation works.

**Reason:** To ensure site safety.

- 23. Achieving required water quality standards will require a stormwater and groundwater collection and treatment system. This may include construction of a holding pond at the base of the excavation, then pumping of this water from the pond via a rising main to a 'WETSEP 60' type treatment plant (or equivalent) to treat all waste stormwater and groundwater prior to discharge. The Applicant shall provide and operate this, or any other appropriate system approved by the Principal Certifying Authority, to achieve Council's requirement for effective discharge water quality management from this site throughout the construction phase.

Prior to release of the relevant Construction Certificate the Applicant must provide to the Principal Certifying Authority for approval full details of the construction phase stormwater and groundwater collection and discharge pollution control and quality management system, including full plant and equipment details, an operational and monitoring plan and evidence of ability to achieve the required performance.

**Reason:** To ensure water quality.

- 24. During excavation, the full site must be flood-proofed to prevent ingress of floodwaters up to the Flood Planning Level (8.5m AHD). This is to be done by provision of continuous perimeter bunding to a level of RL. 8.5m AHD minimum, including crests on temporary accessways and stormwater lines. Construction of the bunding and accessway crests is to be sufficiently durable so as to withstand the forces of floodwaters and construction activity. Details are to be submitted for the approval of the Principal Certifying Authority prior to release of the relevant Construction Certificate.

**Reason:** To ensure site safety.

25. A Flood Emergency Response Plan must be prepared and submitted to the PCA for approval prior to release of the Construction Certificate. This must consider all flood events, particularly the 1% AEP event and higher floods up to and including the PMF. This must address how the SES and other emergency services would access the site in the event of such flood events, without having to go through high hazard flood waters, as well as how tenants/visitors/members of the public will evacuate or take shelter during such flood events. Provision for shelter in place above the PMF level must also be made, to respond to flood emergencies greater than the 1% AEP event when evacuation is not viable.

For floods above the 1% AEP to the PMF a 'Shelter in Place' strategy may be necessary. This must incorporate a suitable facility within the building above the PMF level for people to remain safely during flood events and safe flood free access within the building to this facility. For this purpose, the 1% flood planning level including freeboard may be assumed to be RL 8.5 AHD and the PMF level may be assumed to be RL 11.7m AHD.

**Reason:** To ensure site safety

26. Water sensitive urban design (WSUD) principles must be implemented in this development, generally in accordance with the Development Application proposal.

The WSUD strategy and working design must be prepared and submitted to the PCA for approval prior to release of the Construction Certificate. This involves the consideration not just of water quality improvement, but also the quantity and amenity of stormwater/rainwater run-off and rainwater harvesting. These aspects must be addressed by using vegetated, landscape-integrated WSUD measures that both retain water on-site and provide social and ecological services such as visual amenity, urban cooling and provision of habitat for local wildlife. Extensive rainwater harvesting for reuse as well as green roof/ green wall technologies, deep soil and permeable surfaces are recommended for use on this site.

For landscape-integrated WSUD measures, consistency between landscape and engineering plans must be achieved. Further information on the preparation of a WSUD strategy may be found in the City of Parramatta Council DCP (2011), section 3.3.6 and Appendix 7.

**Reason:** To ensure water quality.

27. As per the report by *Douglas Partners*, titled *Geotechnical and Acid Sulphate Soils Investigation*, project 86221.01, document no. R.002.Rev0, dated December 2017 outlining the potential for groundwater interception, the proponent, if required, under the *Water Management Act 2000* must obtain a dewatering licence for construction phase groundwater extraction, to address groundwater up flow from the base of the excavation cavity. Evidence of this must be provided to the Principal Certifying Authority and the City of Parramatta Council prior to the issue of any relevant construction certificate.

**Reason:** Aquifer management.

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

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

Grading of the pedestrian footway:

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

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

- the latest Parramatta City Council Public Domain Guidelines;
- the approved **Public Domain Alignment Drawings**, and
- the approved **Public Domain Drawings**
- any requirements addressed in a VPA (if applicable), and
- all the DA Conditions listed in this consent.

**The Public Domain Construction Drawings must demonstrate the following:**

#### City Centre Paving

The standard 'City Centre Paving' using 'Adelaide Black' granite pavers, flamed finish, **600x300x50 and 400x300x50** shall be applied to the entire public domain areas in Smith Street and Philip Street to the full length of the development site. This includes the public footway, any setback between the building/podium line and property boundary, and the dedicated pedestrian through-site link. The footpath paving set out and details should comply with Council's design standard (DS45, sheet 1-7).

Sunset gates (2-off) to be removed as adjacent site(s) developed and balance of lane width is provided.

Clear Path of Travel (shore-lining) – Council continues to develop uniform design approach(s) to delineating a clear path of travel past complex built forms at the footway level; options could include but not be limited to change in pavement

colour, textures and or other visual aids etc. that meet DDA requirements. Final design approaches will be provided to the applicant for inclusion in the public domain drawings prior to issuing of the relevant CC approval.

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

The applicant shall provide test results (after applying paving sealant) to prove all pavement material and finishes used in the public domain and any plaza area are **non-slip surface** in compliance with V5 in both wet and dry conditions.

#### Kerb & Gutter

The kerb and gutter (*if the site located in a Council owned street*) in front of the site shall be reconstructed in accordance with Council's design standard (DS1 and DS45) to the full length of the site or agreed by Service Manager DTSU.

#### Underground Conduit for Multi-media facility

A conduit for Council's multi-media facilities is required to be installed to the full length of the street frontages on Phillip Street and Smith Street. The conduit must be positioned and installed in accordance with Council's standards drawing and specifications.

#### Kerb Ramps

Kerb ramps must be designed and located in accordance with Council's design standards (DS45). Given the street intersection kerb radii, ramps to be aimed to the ramp on the opposite side of the road, see Supervisor of Civil Assets comments re Alignment Drawings

#### Vehicle Crossing

Council's standard vehicle crossing is to be provided. Refer Council's design standard (DS45).

#### Tactile Indicators (TGSi)

TGSIs must be used on the public footpath complied with the AS 1428.1 and the requirements in the Public Domain Guidelines. The TGSIs must be installed in the locations as per applicant's access consultant's advice and as shown on the public domain drawings.

#### Street Furniture

Street furniture selection and detail shall be to Council's requirements where the furniture is located in publicly owned land. Street furniture in the public domain must comply with Council's Public Domain Guidelines. All the proposed furniture shall be adequately detailed in the public domain construction documentation. Bike racks removed from William lane are relocated and equal distributed (cluster of max 4-off racks) to the furniture zone of Smith St and Phillip St as per the



PPDG. Location outside of this zone to be agreed by Service Manager Urban Design prior to issue of the relevant CC approval.

William Lane clear of furniture elements – bike rack relocated as above.

Public domain drawings anticipate future bust stop and kerb realignment and future relocation of furniture elements to ensure no conflict with street trees, services

### 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. All new LED luminaires shall include 7pin NEMA socket. Lighting of lanes is to be integrated and ensure an inviting, but not over- lit environment that demonstrates good CPTED principles.

### Bus Stop & Shelter

A bus shelter should be installed at the existing stop to Council's standards, specifications and provisions in Disability Discrimination Act (DDA).

### Street Tree Placement & Tree Pit

Phillip St – support retention of 1-off street tree and installation of 7-off new trees as shown, additional 1-off tree nearest to the intersection is not supported and to be removed.

Smith Street – support retention of existing 3-off street trees. At the future bust stop kerb line 5-off street, as shown on previous drawings, equally spaced and relative to the existing trees is required.

Consistent tree pit size and construction 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 (CoP\_Street tree planting in StrataVault with 1500x1500mm Grate) with adequate clearances to other street elements in accordance with the Public Domain Guidelines. Refer also conditions below for trees located in paved areas. Street trees must be average 8-10m spacing, and as agreed by Service Manager Urban Design. Tree planting is not permitted within 3.0m of existing buildings.

### Structural Pavement System

A structural pavement system is required around proposed street trees *in paved areas* in the footway and publicly accessible pedestrian areas to mitigate against soil compaction, maximising 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.

### Street Tree Stock

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

Street Name	Botanical Name	Common name	Pot Size	Qty	Ave Spacing
Smith Street	<i>Flindersia australis</i>	Australian Teak	400L	6-off	As shown on the dwgs and or as agreed by Service Manager Urban Design
Phillip Street	<i>Platanus digitalis</i> (Cut Leaf Plane)	Cut-leaf Plane tree	400L	9-off	

(Average spacing can be included subject to site condition).

**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)	Caliper (at 300mm)	Clear Trunk Height
45 litre	1.9 – 2.3 metres	30 – 35mm	1.2 metres
75 litre	2.2 – 2.4 metres	40 – 45mm	1.4 metres
100 litre	2.4 metres	50mm	1.4 metres
200 litre	2.8 metres	60mm	1.5 metres
400 litre	3.5 metres	80mm	1.7 metres

### Drainage

In the CBD and town centres - 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.

### Irrigation

Where tree and understorey planting is proposed on slab, under building or any other overhang an automatic irrigation system is to be provided. Irrigation design information is to be provided in the Public Domain Construction Drawings.

### Green Wall Planting at the Lanes

Landscape details for the treatment to the walls within the lanes that ensure easy replacement of individual plants are to be provided. Details of soil depth, soil volume and soil composition to ensure the establishment and long term success of the landscaped wall are to be provided. Irrigation of the landscape planters is to be provided. An automatic irrigation system shall be set up for the planting bed. The public domain construction documentation must include the full performance specifications for the installation and operation.

### Steps

Steps in public open space shall have equal height risers of 150-165mm, and equal width treads of 275-300mm.

Level landing areas shall be provided at the top and base of the steps.

Steps must comply as follows. The detail design of steps shall be included in the CC Public Domain Drawing submission for Council approval prior to CC.

- The first riser to be at least 900mm from the property boundary
- Equal height risers for their full widths
- Opaque risers
- Compliant contrast nosings for full stair width
- Non-slip surfaces in wet and dry conditions

### Handrails

Handrails must comply as follows. The detail design of the handrail shall be included in the CC Public Domain Drawing submission for Council approval prior to the issue of the relevant CC.

- Handrails are to be installed on each side of the stair (or centrally).
- The landing area shall be designed to sufficiently accommodate the required TGSi and handrail projection, which must be outside pedestrian path of travel and circulation spaces.
- The design of handrail shall comply with AS1428.1:2009.
- Diameter to be 30-50mm.
- Clearance behind the handrail to be at least 50mm.

### Ramps

Preference is for proposed 1:20 ramps to not require handrails (i.e. make them flatter than 1:20).

Ramps must comply as follows. The detail design of ramps shall be included in the CC Public Domain Drawing submission for Council approval prior to CC.

- 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.

### Tactile Indicators (TGSIs).

TGSIs must be used on the public footpath in accordance with the requirements of AS 1428.1 and the Public Domain Guidelines.

The detail design of TGSIs layout shall be included in the Public Domain Construction Drawing submission for Council approval prior to CC.

TGSIs must comply as follows.

- TGSIs are required at the top and base of each flight/ramp, to comply with AS1428.4.1 (2009)

TGSIs are not required on a landing where handrails continue through the landing.

### Communal Open Space

All the common areas proposed within the site, including rooftop terraces, shall be fully accessible.

### Drainage grates

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.

### Cycle racks

Cycle racks are to be located so that bicycles do not encroach onto the public footway.

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

## **FEES AND CHARGES**

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

**Reason:** To ensure that the levy is paid.

30. A monetary contribution comprising **\$3,452,833.85** is payable to City of Parramatta Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta City Centre Civic Improvement Plan (Amendment No. 4), prior to the issue of any construction certificate. Payment must be by EFTPOS, bank cheque or credit card only. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney

issued by the Australian Statistician. Parramatta City Centre Civic Improvement Plan (Amendment No. 4) can be viewed on Council's website at:  
[http://www.parracity.nsw.gov.au/build/forms\\_and\\_planning\\_controls/developer\\_contributions](http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions)

The contribution will be adjusted to reflect the terms of any executed and registered Voluntary Planning Agreement.

**Reason:** To comply with legislative requirements.

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

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

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

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

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

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

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

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/758/2017;
- (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 Bonds	\$20,000.00
Hoarding	\$5,000.00 (Class A), \$10,000.00 (Class B)

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

(e) 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.

## **SUSTAINABILITY**

34. Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Principal Certifying Authority:

- a) All external shading measures have been provided as shown on Council stamped architectural drawings, drawn by *Fender Katsalidis*, job no. 17020, Project 32 SMITH ST, GPT REDEVELOPMENT, 32 SMITH ST & 93-95 PHILLIP ST PARRAMATTA NSW 2150.
- b) The building must achieve a 5-star Green Star Design and As-built rating (v1.2 or later). Evidence is to be provided in accordance with the Design Review certified rating of the Green Building Council of Australia.
- c) A dual reticulation (dual pipe) system is to be installed, with the dual reticulation system being of sufficient size to supply all non-potable water uses of the building and suitable for future connection to a recycled water main.
- d) The building will be designed to achieve a 4 star NABERS waters. The applicant will undertake a formal NABERS Water rating within 18 months of the building achieving 75% commercial occupancy and submit the results to the City of Parramatta.
- e) LED lighting must be provided throughout the building.
- f) Outdoor air ventilation rates must exceed the relevant Australian Standard by 50%.

- g) The use of PVC must be limited with minimum replacement of 60% (by cost) compared to standard practice.
- h) All lifts must be gearless with regenerative drives. Passenger lifts to have destination control.
- i) Solar photovoltaic generation must be installed to not less than 50% of the horizontal roof area.
- j) The carpark levels are to be naturally ventilated to the fullest extent possible under the NCC BCA.

**Reason:** To ensure sustainable development outcomes are achieved.

35. Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Principal Certifying Authority:

- a) The building will be designed and constructed to operate at a minimum NABERS Energy rating of 5 stars without accounting for any Green Power used in the building (NABERS Condition).
- b) The Applicant will develop a realistic estimate of the NABERS Energy rating and corresponding report in accordance with the requirements set out in the *NABERS Guide to Building Energy Estimation* (the NABERS Rating Estimate) with the following exclusion:
  - i. The NABERS Rating Estimate must not include any contribution from onsite renewable energy generation. Any onsite renewable energy contribution is to be reported separately.
- c) An independent design review of the NABERS Rating Estimate is to be conducted by a NABERS Independent Design Reviewer for the benefit of Council, to demonstrate that the proposed building can realistically be expected to achieve the minimum rating (the Design Review).
- d) The NABERS Independent Design Reviewer must be appointed by the Applicant on terms equivalent to that required under a NABERS Energy Commitment Agreement to review the NABERS Rating Estimate for compliance with the *NABERS Energy Commitment Agreement: Handbook for Estimating NABERS Ratings*.
- e) The Applicant must provide a report, prepared by the Independent Design Reviewer and detailing the outcomes of the Design Review, to Council for review and approval of the NABERS Condition of consent.
- f) the undertaking of a formal NABERS Energy Rating within 12 months of the building achieving 75% commercial occupancy, and submission of the rating result to the City of Parramatta.

*Definitions:*

*NABERS Independent Design Reviewer – A member the NABERS Design Review panel (appointed and maintained by the NABERS National Administrator) who is independent of the project design team and the person(s) developing the NABERS Rating Estimate.*

**Reason:** To ensure sustainable development outcomes are achieved.

#### **CITY ARCHITECT**

36. Prior to the release of the relevant construction certificate the applicant shall submit for the approval of the City Architect, key cross sections, partial plans and partial elevations through external walls, balconies, pergolas and other key external details. Drawings are to be fully annotated at a scale of 1:50 (or if necessary 1:20) showing details, materials, finishes and colours, so that the details and materiality of the external facades are clearly documented. Revised 3D photomontages should also be submitted. The development shall be completed in accordance with the plans approved to satisfy this condition.

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

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

**Reason:** To have a minimal impact on neighbouring properties and the public domain.

#### **INFRASTRUCTURE**

38. Prior to the issue of the relevant Construction Certificate, revised plans (if necessary) must be submitted to Council for approval by Council's City Architect and Endeavour Energy demonstrating the final location of the substation. The location is to be determined in conjunction with Council's City Architect and Endeavour Energy. Once the location is confirmed, documentary evidence to the satisfaction of the Certifying Authority is to accompany the application for the relevant Construction Certificate confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.

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

39. Where work is likely to disturb or impact upon utility installations, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the proposed works must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.



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

#### **WIND**

40. Prior to the issue of the relevant Construction Certificate, the recommendations outlined in Wind Report by **Windtech**, titled '**32 Smith Street, Parramatta – Pedestrian Wind Environment Study**', reference number **WD633-02F03 (REV 5) – WE REPORT** dated **7 February 2018** must be incorporated into the plans and documentation to the satisfaction of the Certifying Authority.

**Reason:** To ensure wind impacts are minimised.

#### **LANDSCAPING**

41. The following must be provided with an application for the relevant Construction Certificate:
- (a) Construction details showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens are to be provided by a suitably qualified structural engineer.
  - (b) A specification for the soil volume, soil depth and soil area must meet the prescribed standards in "Apartment Design Guide – tools for improving the design of residential apartment development" (NSW Department of Planning and Environment, 2015) to be provided by a suitably qualified Landscape Architect/Designer for all proposed tree plantings with an expected mature height of five (5) metres or greater.
  - (c) A specification ('Fit-for-purpose' performance description) for soil type must be provided by a suitably qualified Landscape Architect/Designer.
  - (d) Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and certification must be provided by a suitably qualified Landscape Architect/Designer.

**Reason:** To ensure the creation of functional gardens.

#### **TRAFFIC**

42. 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 the relevant 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.

43. Accessible car-parking spaces must be provided as part of the total car-parking requirements. 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 relevant Construction Certificate to the satisfaction of the Certifying Authority.

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

44. 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.

45. The PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the relevant construction certificate application.

**Reason:** To ensure appropriate vehicular manoeuvring is provided.

46. The bicycle storage/racks are to comply with AS 2890.3-1993. Details are to be illustrated on plans submitted with the relevant construction certificate.

**Reason:** To comply with Council's parking requirements.

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

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

48. A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site. This shall be illustrated on plans submitted with the relevant construction certificate and not be compromised by the landscaping, signage fences, walls or display materials.

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

49. Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Principal Certifying Authority:

- a) The proposed layout of car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) shall be in accordance with AS 2890.1-2004, AS 2890.6-2009 and AS 2890.2-2002 for heavy vehicle usage.
- b) Sight distances from the proposed vehicular crossings to vehicles on Phillip Street are to be in accordance with Austroads Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890. Vegetation and proposed landscaping must not hinder sight lines to and from the vehicular crossings to pedestrians, cyclists, and general traffic.
- c) Bicycle parking spaces shall be provided with the subject development. These spaces shall be provided in accordance with AS 2890.3 (Bicycle Parking Facilities). End-of-trip facilities shall also be provided within the development.
- d) A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted, after consultation and endorsement from SCO and PLR, to Council for approval prior to the issue of a Construction Certificate.

**Reason:** To ensure satisfactory pedestrian and vehicle safety.

#### **OFFICE OF ENVIRONMENT & HERITAGE**

50. No excavation or ground disturbance works must occur until a s140 permit with a supporting Archaeological Research Design and Methodology has been issued by the Heritage Council of NSW in accordance with the requirements of the NSW Heritage Act, 1977

**Reason:** To ensure archaeological impacts are managed.

51. No excavation or ground works must occur until the Aboriginal archaeological requirements under the *National Parks and Wildlife Act 1974* approval process are satisfied. This may involve the obtainment of Aboriginal Heritage Impact Permits for testing and if necessary, Aboriginal Heritage Impact Permits for harm. Written confirmation from the Office of Environment and Heritage that the approval process has been satisfied must be provided to the satisfaction of the Principal Certifying Authority prior to the issue of any construction certificate.

**Reason:** To ensure archaeological impacts are managed.

52. The Archaeological Research Design and Methodology must include a programme of archaeological testing to be undertaken across areas of proposed harm to archaeological resources. Confirmation of State significant archaeological deposits and substantially intact archaeological evidence should be provided by the testing.

**Reason:** To ensure archaeological impacts are managed.

53. The testing results shall guide the next stage of development. Areas of State significant archaeology and substantially intact archaeological evidence shall be appropriately managed and avoided wherever possible in the design.

**Reason:** To ensure archaeological impacts are managed.

54. All affected historical archaeological 'relics' and/or deposits of local significance or State significance, and unable to be retained, are to be subject to professional archaeological excavation and/or recording before construction works commence which will impact those relics'.

**Reason:** To ensure archaeological impacts are managed.

#### **HERITAGE INTERPRETATION**

55. Prior to the issue of the relevant Construction Certificate a **Draft Heritage Interpretation Strategy & Heritage Interpretation Plan** must be submitted to the Council for approval by Council's Manager, Development & Traffic Services and must demonstrate the following:

- Recommend how the tangible and intangible significance of the site will be accessibly interpreted for the diverse public audiences & show how it is integrated through the building design, across the site and complementing neighbouring sites.
- Address Aboriginal, historical archaeological, cultural and built heritage to effectively communicate the significant themes of the site.
- Be developed in collaboration with architects, designers, archaeologists and key community stakeholders (including Darug, Aboriginal and multicultural communities).
- Document all interpretive installations and devices to be accommodated within the approved project, supported by an explanation as to how the Strategy has guided and informed the nominated installations and devices.
- Be in accordance with the City of Parramatta *Heritage Interpretation Guidelines*.

**Reason:** To ensure satisfactory heritage interpretation outcomes.

#### **WASTE**

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

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

#### **Prior to Work Commencing**

#### **TRAFFIC & PEDESTRIAN SAFETY**

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

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

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

- (c) Traffic Control Plan(s) for the site:
  - (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a

person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,

- (ii) Approval shall be obtained from City of Parramatta Council for any temporary road closures or crane use from public property.
- (d) Where applicable, the plan must address the following:
  - (i) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road,
  - (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
  - (iii) Minimising construction related traffic movements during school peak periods.

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

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

#### **ENGINEERING (STORMWATER & FLOODING)**

58. 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.

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

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

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

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

**Reason:** Management of records.

60. 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.

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

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

62. 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.

63. 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.

64. 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.

65. The applicant must implement vibration and groundwater monitoring, using appropriate methods and equipment to ensure vibration and ground movement at adjacent buildings and structures is maintained within acceptable levels. This monitoring must commence prior to the start of works and continue for the duration of the excavation and basement/foundation construction process. This monitoring must be carried out by an independent body, in accordance with the recommendations of a qualified Geotechnical or structural engineer.

Sufficient evidence must be presented to the Principle certifying Authority that all vibration and groundwater monitoring and protection measures have been put in place prior to the commencement of works.

**Reason:** Protection of neighbouring buildings, structures and assets.

#### **HEALTH (WASTE)**

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

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

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

#### **HEALTH (CONTAMINATION)**

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

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

68. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:
- (a) The location of hazardous materials throughout the site;
  - (b) A description of the hazardous material;

- (c) The form in which the hazardous material is found, e.g. AC sheeting, transformers, contaminated soil, roof dust;
- (d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- (e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- (f) Identification of the disposal sites to which the hazardous materials will be taken.

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

## **CIVIL ASSETS**

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

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

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

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

### Defects

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

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

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

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

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

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

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

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

**Reason:** To ensure the proposal does not have an unacceptable impact on the public domain.

## **STANDARD**

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

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

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

**Reason:** To comply with legislative requirements.

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

**Reason:** To ensure public safety.

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

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

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

**Reason:** Statutory requirement.

73. A Hoarding Application to enclose public space is to be accompanied by the appropriate fee calculated according to Council's adopted fees and charges, together with details showing the location and type of hoarding proposed as required by Council's Hoarding Policy.

No demolition or works can commence until approval for the hoarding has been obtained.

**Reason:** To improve the visual impact of the hoarding structure and to provide safety adjacent to work sites.

74. Public risk insurance in the amount of not less than \$20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:

- a) Above;
- b) Below; or
- c) On

Any public land owned or controlled by Council. The public risk insurance must be maintained for the period during which these works re being undertaken.

The public risk insurance must be satisfactory to Council and list Council as an insured and/or interested party.

A copy of the insurance policy obtained must be forwarded to Council before any of the works commence.

**Note:** Applications for hoarding permits, vehicular crossing etc. will require evidence of insurance upon lodgement of the application.

**Reason:** To ensure the community is protected from the cost of any claim for damages arising from works authorised by this consent conducted above, below or on any public land owned or controlled by Council.

75. 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 Principal Certifying Authority prior to pouring of any footings or slabs and/or the construction of any walls/posts.

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

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

**Reason:** To ensure adequate toilet facilities are provided.

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

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

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

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

**Reason:** To ensure adequate stormwater infrastructure is provided.

79. 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. 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.

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

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

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

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

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

82. Tree protection measures are to be installed and maintained for all street trees requiring retention by this consent, under the supervision of an Australian

Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 - "Protection of Trees on Development Sites".

**Reason:** To ensure trees are protected during construction.

#### **OTHER**

83. Prior to any works commencing, the applicant shall lodge with Council an Arts Plan which:

- (a) Contains the necessary historical information and site analysis, as well as detailed identification of site opportunities in relation the building plans;
- (b) Be consistent with Council's "Interim Public Art Guidelines for Developers";
- (c) Confirms that the budget for the public art works shall not be less than 0.05% of the cost of works of the development as nominated on the Development Application form.
- (d) Requires a maintenance schedule for the works, the ongoing implemented of which shall be at the cost of the relevant body corporate/Owners Corporation

Council shall endorse the final Arts Plan once satisfactory. The approved works shall be completed and installed prior to the issue of any Occupation Certificate.

**Reason:** To ensure the proposal provides a level of public art commensurate with the scale of works.

#### **During Work**

##### **ENGINEERING (STORMWATER & FLOODING)**

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

**Reason:** To ensure no adverse impacts on neighbouring properties.

85. 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.

86. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.

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

87. All properties, structures, assets and developments adjoining the construction site must be fully supported at all times during all demolition, excavation and construction works. The support measures must comply with the DA approved shoring and excavation plans issued for this site, and the detailed excavation, shoring and basement construction strategy submitted to Council's satisfaction prior to issue of a construction certificate.



**Reason:** Protection of nearby buildings, structures and assets.

88. Standard Kerb Ramps are to be constructed at the intersections of Smith Street and Phillip Street in accordance with Council Plan No. DS4. Details must be submitted to, and be approved by Council's Manager Civil Assets prior to construction. All costs must be borne by the applicant.

**Reason:** To provide adequate access.

#### **HEALTH (WASTE)**

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

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

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

- (a) Work Health and Safety Act 2011
- (b) NSW Protection of the Environment Operations Act 1997 (NSW) and
- (c) NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

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

91. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and ANZECC standards for water quality.

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

**Reason:** To prevent pollution of waterways.

92. 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 the relevant Construction Certificate.

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

93. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

**Reason:** To ensure that building materials are not washed into stormwater drains.

#### **URBAN DESIGN (PUBLIC DOMAIN)**

94. All the public domain works and dedicated laneway/pedestrian link 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 in the dedicated land 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.

#### **HEALTH (CONTAMINATION)**

95. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

**Reason:** To ensure appropriate disposal of asbestos materials.

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

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

97. Following demolition activities, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for the intended use. The soil investigation shall be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites and the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007.

A site audit statement shall be issued at the completion of the investigation by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.

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

98. 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.

99. 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.
100. 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.
101. 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.
102. 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.

## **INFRASTRUCTURE**

103. A number of significant electrical assets are located on and adjacent to the site. The Contractor is to be aware of the potential risks of working adjacent to these assets such as receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy has available public safety training resources that are reviewed by the Contractor to ensure that works are carried out safely at the site. These resources can be downloaded from the website link below:  
<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>  
**Reason:** To ensure that works are carried out in a safe manner.
104. When undertaking works on or in the vicinity of Endeavour Energy's electricity network, asbestos or ACM must be identified by a competent person employed by or contracted to the applicant and an asbestos management plan, including its proper disposal, is required whenever construction works has the potential to impact asbestos or ACM.

The company's potential locations of asbestos to which construction / electricity workers could be exposed include:

- Customer meter boards;
- Conduits in ground;
- Padmount substation culvert end panels; and
- Joint connection boxes and connection pits.

Further details are available by contacting Endeavour Energy's Health, Safety & Environment via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm.

**Reason:** To ensure that works are carried out in a safe manner.

105. In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note Emergencies Telephone is 131 003 which can be contact 24 hours/7 days.

**Reason:** To ensure that works are carried out in a safe manner.

106. It is imperative that the access to the existing electrical infrastructure adjacent and on the site is maintained at all times.

**Reason:** To ensure that supply electricity is available to the community, access to the electrical assets may be required at any time.

#### **STANDARD**

107. 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.

108. 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.

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

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

110. All work (excluding demolition which has separate days and hours outlined below) including building, and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools, machinery etc.) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 8.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.

**Note:** Council may allow extended work hours for properties located on land with the Parramatta City Centre in limited circumstances and upon written application and approval being given by City of Parramatta Council at least 30 days in advance.

Such circumstances where extended hours may be permitted include:

- (a) Delivery of cranes required to the site outside of normal business hours;
- (b) Site is not located in close proximity to residential use or sensitive land uses;
- (c) Internal fit out work.

**Reason:** To protect the amenity of the area.

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

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

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

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

112. 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.

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

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

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

**Reason:** To ensure no adverse impacts on neighbouring properties.

115. 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.

116. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.

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

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

**Reason:** To ensure maintenance of Council's assets.

#### **Prior to the issue of an Occupation Certificate/Use Commencing**

##### **ENGINEERING (CIVIL, STORMWATER & FLOODING)**

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

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

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

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

119. Prior to the issue of an Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919

must be created, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot.

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

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

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

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

120. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Occupation Certificate. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://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.

121. 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.

122. 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.). The report shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. A copy of the report shall be attached to the Occupation Certificate when forwarded to Council.

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

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

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



Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

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

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

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

**Reason:** Pedestrian and Vehicle safety.

124. Proof of completion of the Kerb Ramp must be submitted to the satisfaction of the Council prior to the issue of an Occupation Certificate.

**Reason:** To provide adequate access.

125. All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with Council's Standard Plan No. DS1. The reinstatement must be completed prior to the issue of an Occupation Certificate. All costs must be borne by the applicant.

**Reason:** To provide satisfactory drainage.

#### **URBAN DESIGN (PUBLIC DOMAIN)**

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

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

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

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

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

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

#### **OFFICE OF ENVIRONMENT AND HERITAGE**

127. All conditions of consent issued under a S140 approval must be complied with prior to the issuing of an occupation certificate for the building.

**Reason:** To ensure archaeological impacts are managed.

#### **STANDARD**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Reason:** To comply with statutory requirements.

132. Prior to the issue of an Occupation Certificate, a final fire safety certificate must be issued as required by Clause 153 of the Environmental Planning and Assessment Regulation 2000.

**Reason:** Protection of life and to comply with legislative requirements.

#### **HEALTH (CONTAMINATION)**

133. The applicant is to engage an NSW EPA accredited site auditor to undertake an independent assessment of the site investigation (remediation) or (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 the satisfaction of Council and the principal certifying authority on the completion of remediation works and prior to the issue of any Occupation Certificate.

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

#### **HEALTH (WASTE)**

134. Prior to issue of the occupation certificate, the applicant shall enter into a commercial contract for the collection of trade wastes and recyclable materials

arising from business operations on site. A copy of all-waste contracts and receipts shall be kept on site and made available to Council officers on request.  
**Reason:** To comply with the Requirements of the Protection of the Environment Operations Act 1997 and Regulations.

135. Adequate ventilation to the waste storage room shall be provided in accordance with the requirements of the Building Code of Australia. Certification that the system functions in accordance with Australian Standard AS 1668 is to be provided to the certifying authority prior to occupation of the premises.  
**Reason:** To ensure provision of adequate waste storage arrangements.

#### **DESIGN EXCELLENCE**

136. Council's Design Competition Panel (Design Excellence Jury) shall review and comment on the development prior to the issue of an Occupation Certificate to ensure design integrity. Where the Jury identifies matters which are not satisfactory, resolution to shall be required prior to the issue of the Certificate.  
**Reason:** To ensure the proposal achieves design excellence.

#### **TRAFFIC**

137. Car parking area and internal accessways must be constructed, marked and signposted in accordance with AS2890.1 –2004 'Off Street Car Parking Facilities' prior to an Occupation Certificate being issued.  
**Reason:** To ensure appropriate car parking.
138. Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way, prior to the issue of the Occupation Certificate.  
**Reason:** To ensure pedestrian safety.

#### **LANDSCAPING**

139. All trees supplied above a 25L container size must be grown in accordance with AS2303:2015 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2015. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.  
**Reason:** To minimise plant failure rate and ensure quality of stock utilised.
140. A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works must be completed prior to the issue of an Occupation Certificate.  
**Reason:** To ensure restoration of environmental amenity.

#### **HERITAGE INTERPRETATION**

141. All elements of the endorsed **Draft Heritage Interpretation Strategy and Heritage Interpretation Plan** shall be provided/installed to the satisfaction of Council, prior to the issue of any Occupation Certificate.

**Reason:** To ensure satisfactory heritage interpretation outcomes.

#### **OTHER**

142. The artworks must be installed in accordance with the arts plan approved to satisfy conditions elsewhere in this Notice, and to the satisfaction of Council, prior to issue of any Occupation Certificate.

**Reason:** To ensure the appropriate implementation of the approved public art plan.

143. The developer must submit to the Principal Certifying Authority a letter from the telecommunications company confirming satisfactory arrangements have been made for the provision of telephone and broadband services, prior to the issuing of any Occupation Certificate

**Reason:** To ensure provision of appropriately located telecommunication facilities.

#### **The Use of the Site**

##### **HEALTH (WASTE)**

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

- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
- (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

145. 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.

146. 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.

147. 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.

148. 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.

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

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

#### **HEALTH (ACOUSTIC)**

150. 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.

151. 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.

#### **TRAFFIC**

152. All loading and unloading must take place within the designated loading areas on the subject property.

**Reason:** To improve the safety of the users of the public carpark.

#### **ROADS AND MARITIME SERVICES**

153. All vehicles are to enter and exit the site in a forward direction. In addition, all vehicles are to be wholly contained on site before being required to stop.

**Reason:** To improve the safety of the users of the public carpark.

#### **LANDSCAPING**

154. All landscape works shall be maintained for a minimum period of two (2) years following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions

**Reason:** To ensure restoration of environmental amenity.

## OTHER

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

**Reason:** To minimise noise impact of mechanical equipment.

156. No materials, goods or vehicles associated with the use of the premises are to be stored or displayed on or within the street reserve or other public area.

**Reason:** To ensure the integrity of Council's assets is protected and to ensure unobstructed pedestrian movement in the vicinity of the proposal.

157. Roller shutters are not to be placed over any external door or window of the premises. Any security grille is to be located on the inside of the glass shop front and must be an open grille able to be seen through.

**Reason:** To provide an appropriate streetscape appearance.

158. Any use of the premises as a Place of Public Entertainment is subject to further approval of Council.

**Reason:** To protect the amenity of the area.

159. 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.

160. Separate consent shall be sought for any outdoor dining areas. Outdoor dining areas shall be designed to coordinate with the retail tenancies and details shall be provided of all strategies to mitigate environmental factors such as sun, wind and rain.

**Reason:** To ensure the amenity of the outdoor dining area.