



Report to Sydney Central City Planning Panel

SWCCP reference	2017SWC138
DA No.	DA/964/2017
Date of receipt	17 November 2017
Proposal	Demolition of eight (8) dwellings, tree removal and construction of 3 x 7 storey Residential Flat Buildings containing 118 apartments and associated basement car parking.
Street address	2-16 Young Road, Carlingford
Property Description	Lot 2-9 in DP 223523
Applicant	Yifang CF Pty Ltd
Owner	Yifang CF Pty Ltd
Submissions	Nine (9) submissions
List of All Relevant s79C(1)(a) Matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act and Regulations;• State Environmental Planning Policy No. 55;• State Environmental Planning Policy (Sydney Harbour Catchment) 2005;• State Environmental Planning Policy (State and Regional Development) 2011;• State Environmental Planning Policy (Infrastructure) 2007;• State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development;• Apartment Design Guide;• The Hills Local Environmental Plan 2012; and• The Hills Development Control Plan 2012.
Recommendation	Approval
Council Officer	Ashleigh Matta, Senior Development Assessment Officer

Summary of s4.15 matters

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

Legislative clauses requiring consent authority satisfaction

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

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard has been received, has it been attached to the assessment report ? Yes

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S94EF)? No

Conditions

Have draft conditions been provided to the applicant for comment ? Yes

1. Executive summary

This report considers a proposal for demolition of eight (8) dwellings, tree removal and construction of 3 x 7 storey residential flat buildings containing 118 apartments and associated basement car parking.

The site is legally described as Lot 2-9 in DP 223523. The site has a frontage of 158.48m to Young Road and a site area of 5,820.9m². The site is located in the suburb of Carlingford which comprises low to high density residential and commercial development being Carlingford Court to the east. The site is located within the northern end of the Carlingford Precinct. The northern end of the Precinct comprises residential flat buildings interspersed with existing multi-unit developments. The site was previously located within The Hills Local Government Area.

The site is zoned R4 High Density under the provisions of The Hills Local Environmental Plan 2012 (THLEP 2012). The development is defined as a “residential flat building” which means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing. As such, the proposal is permissible with consent in that zone.

The application was reviewed by Council's Traffic Engineer, Development Engineer and Landscape Officer. Assessment of the application against the relevant planning framework and

consideration of matters by Council's technical departments has not identified any fundamental issues of concern and the application is supported subject to the imposition of conditions.

In accordance with Council's notification procedures, owners and occupiers of surrounding properties were given notice of the application for 14 days between **29 November 2017 to 13 December 2017**. The amended application was notified for 14 days between 7 March and 2 March 2018. Nine (9) submissions have been received in response to Council's notification. Issues raised in the submissions relate to traffic, street parking, solar access and privacy. The issues are addressed in the report and do not warrant refusal of the application.

The proposal is generally compliant with Council's controls, however proposing a variation to the Floor Space Ratio control contained in THLEP 2012. The proposal seeks to vary Clause 4.4 – Floor Space Ratio of THLEP 2012. The proposal does not comply with the maximum permissible Floor Space Ratio of 1.49:1 stipulated within Clause 4.4 – Floor Space Ratio. The proposed development has a Floor Space Ratio of 1.59:1; resulting in a variation of 598m² (6.9%).

A written request under the provisions of Clause 4.6 of The Hills LEP 2012 was lodged with the application and it considered that the variation can be supported as the applicant has demonstrated sufficient environmental planning grounds to vary the development standard. The Clause 4.6 Statement is considered well founded and is supported noting the following:

- The proposal is consistent with the objectives of the R4 High Density Residential zone of THLEP 2012 in that the development provides the housing needs of the community within a high density residential environment and within close proximity to population centres and public transport routes. The site is located within a high density residential area within walking distance to Carlingford Court, Carlingford Station and two (2) bus stops that provide a service every hour between 6am and 8pm, 7 days a week.
- The proposal is consistent with the objectives of Clause 4.4 Floor Space Ratio of THLEP 2012 as the proposal is compatible with the bulk, scale and character of the existing and likely future surrounding development. The additional floor area is not visually discernible from the street nor considered to have a negative impact on the streetscape as the proposed buildings present as 6 storeys when viewed from Young Road, consistent with recently approved and constructed developments along Young Road (particularly the eastern side of Young Road) which includes six (6) and seven (7) storey residential flat buildings.
- The additional floor area does not result in poor design or a non-compliance with other Council controls. The additional floor area is contained within the building footprint applicable to the site, complying with setback, separation, height, landscaping and open space controls.
- The additional floor area does not result in poor design or loss of amenity for future occupants of the development, complying with the solar access, cross ventilation, minimum unit area and privacy controls relating to internal amenity.
- The proposed development provides a landscaped area, open space area, deep soil zone and setbacks that exceed the minimum required by the Apartment Design Guide, further demonstrating that the additional floor area does not result in an overdevelopment of the site or result in amenity impacts on the future occupants or adjoining properties.

- The proposed car parking spaces exceed the minimum required by the RMS Guidelines, further demonstrating that the additional floor area will not have a negative impact on the on street parking in the surrounding streets.
- The overshadowing as a result of the additional GFA does not result in any loss of sunlight to habitable rooms or private open space areas of adjoining properties, with adjoining properties receiving the minimum 2 hours direct sunlight.

The proposal satisfies the objectives of The Hills Local Environmental Plan 2012 and The Hills Development Control Plan 2012 (THDCP 2012).

The Central City Planning Panel was briefed on the application on 1 August 2018. The key issues discussed at the briefing included:

- *Non-compliance with FSR control over a green field site*
- *Inadequacy of Clause 4.6 variation request - no justification for a better planning outcome*
- *There is additional overshadowing of the neighbouring site as a result of the breach*
- *New shadow diagrams required detailing the impact at 3pm*

The applicant addressed the Panel's concerns and submitted additional information on 9 August 2018. Information included an amended Cause 4.6 variation request and elevation shadow diagrams.

The application is satisfactory when evaluated against section 4.15 of the Environmental Planning and Assessment Act 1979 and this report recommends that the Panel grant approval subject to Attachment B.

2. Key issues

- a. Floor space ratio

3. Site context

The site is located in the suburb of Carlingford which comprises low to high density residential and commercial development being Carlingford Court to the east.

The site is located within the Northern End of the Carlingford Precinct. The site is not identified as a key site. The northern end of the Precinct comprises residential flat buildings interspersed with existing multi-unit developments.

The site is within 700m walking distance of Carlingford Station and within 400m walking distance to bus stops 625 and 630.

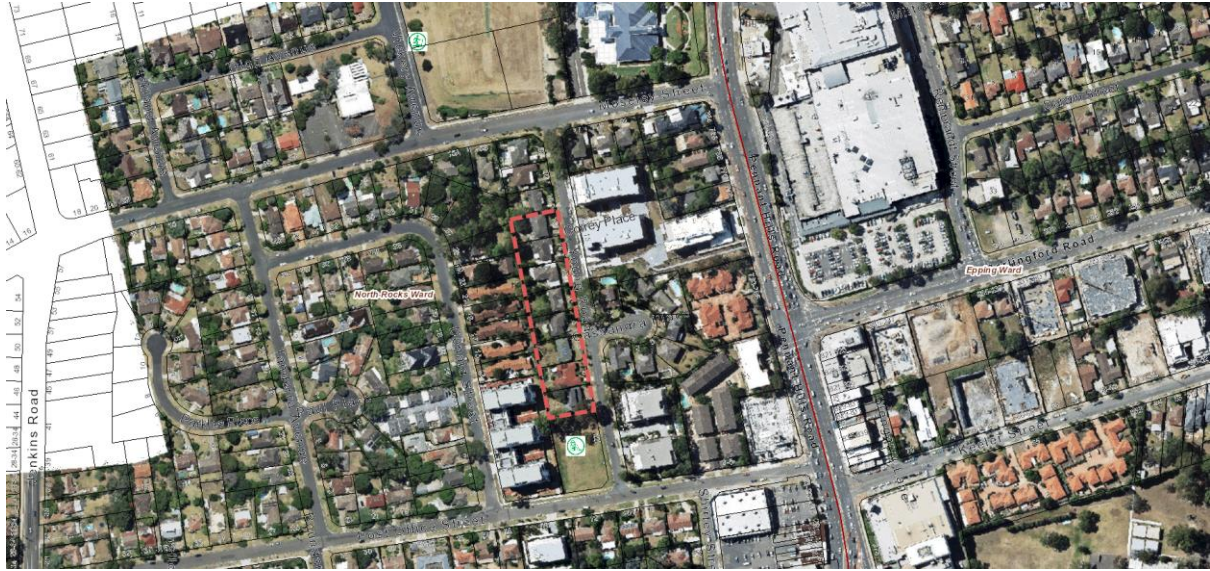


Figure 1: Aerial Map



Figure 1: Precinct Boundary (THEDCP 2012)

4. Site description and Background

4.1 Site

The subject site is legally known as Lot 2-9 in DP 223523 and known as 2 - 16 Young Road, Carlingford. The site has a frontage of 158.48m to Young Road and a site area of 5,820.9m². The site has a slope from north-east and south-east (higher parts of the site) towards the centre of the western boundary, by approximately 5m. The site contains eight (8) dwelling houses.

The site is zoned R4 High Density Residential and the surrounding properties are also zoned R4 High Density Residential.

4.2 Background

18 September 2014	The Sydney West Region Joint Regional Planning Panel granted development consent to demolish all existing structures on the development site and construct 3x 6 storey Residential Flat Buildings containing 99 residential apartments (DA810/2014/JP).
26 June 2016	The Parramatta Design Excellence Advisory Panel considered a proposal for demolition of eight (8) existing dwellings and associated structures and construction of three (3), six (6) storey residential flat buildings containing 88 residential apartments, comprising 9x 1 bedroom, 74x 2 bedroom and 5x 3 bedroom units above two and a half levels of basement car parking containing 205 parking spaces (PL/89/2016).
25 August 2016	The Parramatta Design Excellence Advisory Panel considered an amended proposal, addressing DEAP concerns (PL/89/2016).
14 December 2017	The Parramatta Design Excellence Advisory Panel considered a proposal for the demolition of eight (8) dwellings, tree removal and construction of 3 x 7 storey residential flat buildings containing 118 apartments and associated basement car parking.

5. The proposal

The proposal comprises the following primary elements:

- Demolition of eight (8) dwellings and all ancillary structures;
- Tree removal;
- Construction of 3x 7 storey Residential Flat Buildings containing 118 residential apartments:
 - **Building A**
 - 11x 1 bedroom
 - 25x 2 bedroom
 - 4x 3 bedroom
 - Total 40 units
 - **Building B**
 - 10x 1 bedroom
 - 27x 2 bedroom
 - 3x 3 bedroom

Total 40 units

- **Building C**

- 9x 1 bedroom
- 25x 2 bedroom
- 4x 3 bedroom

Total 38 units

- Basement car parking containing 152 car spaces; and
- Site works and landscaping.

5.2 Application History

Amended plans were submitted on 1 February 2018 following advice provided by the Design Excellence Advisory Panel. Amendments included relocation of the driveway associated with Building B and Building C, which was previously located on the southern boundary adjoining the park.

The Sydney Central City Planning Panel was briefed on the application on 1 August 2018. The key issues discussed at the briefing included:

- *Non-compliance with FSR control over a green field site*
- *Inadequacy of Clause 4.6 variation request - no justification for a better planning outcome*
- *There is additional overshadowing of the neighbouring site as a result of the breach*
- *New shadow diagrams required detailing the impact at 3pm*

The applicant submitted additional information addressing the above, including an amended Clause 4.6 and additional shadow diagrams.

6. Public notification

The notification period was for 14 days between 29 November and 13 December 2017. The amended application was notified for 14 days between 7 March and 21 March 2018. Nine (9) submissions have been received in response to Council's notification. Issues relate to insufficient street parking, increased traffic in the area, loss of sunlight and tree removal.

7. Referrals

Any matters arising from internal/external referrals not dealt with by conditions	No
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8. Environmental Planning and Assessment Act 1979

Does Section 5A (Significant effect on threatened species) apply ?	No
Does Section 77A (Designated Development) apply ?	No
Does Section 91 (Integrated Development) apply ?	No

Are submission requirements within the Regulations satisfied?

Yes

9. Consideration of SEPPs

Key issues arising from evaluation against SEPPs

None - A detailed assessment is provided at **Attachment A**.

10. State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development)

The proposal complies with the controls contained in the Apartment Design Guide. A detailed evaluation is provided at **Attachment A**.

12. The Hills Local Environmental Plan 2012

The following table is a summary assessment against the LEP. A detailed evaluation is provided at **Attachment B**.

Table 1: LEP compliance

Clause	Proposal and compliance
Clause 4.1 4.1A Minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings	Complies Control: 4,000m ² Proposed: 5,820.9m ²
Clause 4.3 Building height	Complies Control: 21m Proposed: 21m
Clause 4.4 Floor space ratio	Does not comply Control: 1.49 :1 Proposed: 1.59:1
Clause 4.6 Exceptions to standard	The application proposes a variation to Clause 4.4 Building Height under the THLEP 2012.

11. The Hills Development Control Plan 2012

The following table is a summary assessment against this DCP. A detailed evaluation is provided at **Attachment A**.

Table 2: DCP compliance

Control	Proposal	Complies
Building Heights		
The floor level of any residential room must be no lower than one metre below natural ground level.	Unit B001 has a finished floor level which is a maximum 1.5m below natural ground level.	No Whilst the unit has a FFL more than 1m below NGL, the proposal can be supported given the unit is a cross ventilated unit, that receives at least 2 hours of direct sunlight to habitable rooms. All other ground floor units comply.
Density		
Maximum population density is 175 persons per hectare with a desirable range between 150 and 175 persons. That is: (1 bed) 30x 1.3 = 39 (2 bed) 77x 2.1 = 161.7 (3 bed) 11x 2.7 = 29.7 Total = 230.4 (occupancy rate for the development)	Density = 395.8 Variation = 245.8 / 163.87%	No Refer to Clause 4.6 of THLEP 2012 for a discussion on floor space and density.
Carlingford Precinct		
Floor Space Ratio		
Floor Space Ratio in accordance with the Floor Space Ratio Map of The Hills LEP 2012	No, refer to Clause 4.6 discussion	No, refer to Clause 4.6 discussion
Site Requirements		
The minimum site area of development sites shall be consistent with the site areas specified in the potential site amalgamation plan (Figure 8).	Figure 8 indicates an amalgamation with 17 properties, along both Young Road and Donald Street.	No Whilst the proposal doesn't comply with the amalgamation pattern indicated in Figure 8, the proposal is acceptable given the subject site complies with the minimum lot size development standard and the proposal does not result in the isolation of adjoining lots.

		It is also worthy to note that majority of the properties within the Figure 8 are owned by Housing NSW.
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Conclusion

On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework.

RECOMMENDATION

- A. That Sydney Central City Planning Panel approve variation to Clause 4.4 Floor Space Ratio of The Hills Local Environmental Plan 2012.
- B. That pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 the Sydney Central City Planning Panel grant approval Development Application DA/964/2017 subject to Schedule 1 of the conditions in **Attachment B**.



**CITY OF
PARRAMATTA**

ATTACHMENT A- PLANNING ASSESSMENT

SWCCP reference 2017SWC138

DA No. DA/964/2017

1. Overview

This Attachment assesses the relevant matters for consideration under section 79C of the Environmental Planning and Assessment Act, as noted in the table below:

Table 1- Matters for consideration

Provision	Comment
Section 4.15(1)(a)(i) - Environmental planning instruments	Refer to section 2 below
Section 4.15(1)(a)(ii) - Draft planning instruments	Not applicable
Section 4.15(1)(a)(iii) - Development control plans	Refer to section 3 below
Section 4.15(1)(a)(iiia) - Planning agreements	Refer to section 4 below
Section 4.15(1)(a)(iv) - The Regulations	Refer to section 5 below
Section 4.15(1)(a)(v) - Coastal zone management plan	Not applicable.
Section 4.15(1)(b) - Likely impacts	Refer to section 6 below
Section 4.15(1)(c) - Site suitability	Refer to section 7 below
Section 4.15(1)(d) - Submissions	No submissions
Section 4.15(1)(e) - The public interest	Refer to section 8

The following internal and external referrals were undertaken:

Table 2: Referrals

Landscape	Satisfactory - conditions provided
Development Engineer	Satisfactory - conditions provided
Traffic	Satisfactory - conditions provided
Environmental Health (Waste)	Satisfactory - conditions provided
Environmental Health (Acoustic)	Satisfactory – conditions provided

2. Environmental planning instruments

2.1 State Environmental Planning Policy No. 55 – Remediation of land

Clause 7 of this Policy requires the consent authority to consider if land is contaminated and, if so, whether it is suitable, or can be made suitable, for a proposed use.

The subject site is identified in Council's records as being potentially contaminated.

An assessment of the application has been undertaken on the basis of Clause 7(1), 7(2) and 7(3) of SEPP 55 and the *Managing Land Contamination Planning Guidelines 1998* for assessing potential contamination of a site. The following is a checklist of the evaluation.

- Is the planning authority aware of any previous investigations about contamination on the land? What were the results including any previous evaluations?

Planning Comment: The site is not identified in Council's records as being contaminated.

- Do existing records held by the planning authority show that an activity listed in Table 1 has ever been approved on the subject land? (The use of records held by other authorities or libraries are not required for an initial evaluation).

Planning Comment: A review of Councils records do not indicate any activities listed in Table 1.

Table 3: Some Actives that may cause contamination (Source: Managing Land – Planning Guidelines SEPP 55 – Remediation)

Acid/alkali, plant and formulation	Landfill sites
Agricultural/horticultural activities	Metal treatment
Airports	Mining and extractive industries
Asbestos production and disposal	Oil production and storage
Chemicals manufacture and formulation	Paint formulation and manufacture
Defence works	Pesticide manufacture and formulation
Drum re-conditioning works	Power stations
Dry cleaning establishments	Railway yards
Electrical manufacturing (transformers)	Service stations
Electroplating and heat treatment premises	Sheep and cattle dips
Engine works	Smelting and refining
Explosives industry	Tanning and associated trades
Gas works	Waste storage and treatment
Iron and steel works	Wood preservation

- Was the subject land at any time zoned for industrial, agricultural or defence purposes?

Planning Comment: The current zoning for the site is R4 High Density Residential under The Hills Local Environmental Plan 2012. The site was not previously zoned for industrial, agricultural or defence purposes.

- Is the subject land currently used for an activity listed in Table 1 above?

Planning Comment: A review of Councils records do not indicate any activities listed in Table 1.

- To the planning authority's knowledge was, or is, the subject land regulated through licensing or other mechanisms in relation any activity listed in Table 1?

Planning Comment: Council is not aware of any licence issued for any uses listed in Table 1.

- Are there any land use restrictions on the subject land relating to possible contamination such as notices issued by the EPA or other regulatory authority?

Planning Comment: Council is not aware of any licence issued for any uses listed in Table 1.

- Does a site inspection conducted by the planning authority suggest that the site may have been associated with any activities listed in Table 1?

Planning Comment: The site is not identified in Council's records as being contaminated.

- Is the planning authority aware of information concerning contamination impacts on land immediately adjacent to the subject land which would affect the subject land?

Planning Comment: The site is not identified in Council's records as being contaminated. A Site inspection reveals the site does not have any obvious history of a previous land use that may have caused contamination and there is no specific evidence that indicates the site is contaminated. The subject site is currently used for residential purposes and contamination is not expected.

- Has the applicant for development consent carried out the investigation required by subclause 7(2) of SEPP 55 and provided a report on it to the consent authority?

Planning Comment: The applicant has reviewed archival searches, aerial photographs and Council's 149 Certificates for these properties, which confirms the subject site has never been used for industrial or commercial purposes in the past. Further, as the site is not listed on Council's records as being subject to contamination, it is considered that the site would not be subject to contamination.

In view of the above evaluation, and considering the requirements of SEPP55 and the Managing Land Contamination Planning Guidelines 1998, it is considered that the site is **suitable** for the proposed residential use and Clause 7 of SEPP 55 is satisfied.

2.2 State Environmental Planning Policy (Infrastructure) 2007

The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application,

The application is not subject to clauses 45, 85, 86, 87, 101, 102 or 104 of the SEPP.

2.3 Deemed State Environmental Planning Policy (Sydney Harbour Catchment) 2005

This Policy applies to all of the City of Parramatta local government area. It aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing principles and controls for the whole catchment.

The nature of this project and the location of the site are such that there are no specific controls which directly apply, with the exception of the objective of improved water quality. That outcome will be achieved through the imposition of suitable conditions to address the collection and discharge of water.

2.4 State Environmental Planning Policy (State and Regional Development) 2011

This application is captured by Part 4 of this Policy which provides that the Panel is the consent authority for this application.

2.5 State Environmental Planning Policy No. 65 (Design Quality of Residential Apartment Development)

SEPP 65 applies to the development as the building is more than 3 storeys in height and contains a residential component.

2.5.1 Design Excellence Advisory Panel (DEAP)

The development application was considered by the Panel on 13 July 2017, who provided the following advice:

DEAP Comments	Response
1. The Panel was informed that that proposed development is currently over its FSR. The Applicant should lower their GFA areas to meet the maximum FSR allowed.	Refer to Clause 4.6 discussion.
2. The applicant was asked by council to provide a through site link. They stated that it would be difficult to incorporate it into the design due to the topography and loss of Communal Open Space. The Panel recommends that the applicant verify this with architectural drawings to the satisfaction of Council and the City Architect Team.	The site has a fall of approximately 6m over 36m. To provide a through site link that is accessible would result in a long concrete ramp and the loss of a substantial amount of open space, landscaping and deep soil. There is no control within either the THLEP 2012 or THDCP 2012 requiring a through site link for this site.
3. The southern basement carpark entrance is directly adjacent to the park and thus does not allow the southern elevation of that building to properly address the park.	Amended plans submitted 1 February 2018 indicate relocation of the carpark basement entrance for Building B and Building C.

	The Panel recommends moving the basement carpark entrance to the Northern corner of the same building, thereby allowing the ground level apartments of the southern elevation to have a relationship with the park.	
4.	In regards to the Southern building's relation to the park, the Panel recommends further articulating the south facade to improve its appearance when viewed from the park.	Amended plans submitted 1 February 2018 indicate changes to the southern elevation of Building C. A ground floor unit replaces the driveway along the southern boundary and balconies overlook the park.
5.	The current proposal shows the 3 buildings to be almost identical, although supplementary material presented at the meeting did show more variation by way of colour differentiation. Nevertheless, the Panel recommends that more design variation between the buildings be considered in order to give more individual identity to each building and reduce repetition.	The proposal has common architectural design as one development and whilst the proposal incorporates three similar buildings, each building has its own individual finishes with varied materials and colours.
6.	The material proposed is mainly panellised and rendered surfaces. The panel recommends using some face brick and metal panel cladding in order to achieve more relief. The Applicant noted that further recessing of the glazing line is intended, and enhanced expression of façade elements together with articulation of the form on north and south elevations will improve the character.	The proposal is mainly face brick. Panelling systems and minimal rendering is proposed however is recessed behind the facade of the building.
7.	The Panel noted that there is currently a very healthy tree (the Hoop Pine) in the front of the site and it is recommended that it be retained.	Refer to Council's Landscape Officer comments.
8.	The Panel recommends adding a direct connection to the southern park from the proposed development, with extension of the communal path along the western side.	Amended plans submitted 1 February 2018 indicate a direct connection from the proposed development with extension of the communal path. However, Council does not allow direct connections from private properties due to potential security issues and environmental damage. Council considered the through link for this site and the issue with this site is that

	<p>the pathway would end at the property boundary with no accessible connection to existing pathways in the park and also wearing grass given there is no connecting pathway in the park.</p> <p>In this case, it would be preferred that the park be accessed via a footpath connection along Young Road that links into the existing park pathway connection consistent with the other adjoining similar development at 1-11 Donald Street (see attached).</p>
9. There is a direct line of site from the living room to the bedrooms in some of the apartments. The Panel recommends that these unit layouts be amended to afford the bedrooms more privacy.	Amended plans submitted 1 February 2018 indicate slight modifications to restrict direct views between apartments.
10. To avoid CPTED issues with the ground level entry sequence, the Panel recommended a security gate closer to the footpath. It would also be beneficial if there was relief to the canyon effect of the lobby entrance. In regards to privacy, louvres could be incorporated above 1.8m for the adjacent walls of the ground floor apartments.	A condition is recommended to be included in the consent requiring a security fence.
11. The Communal Open Space should provide ease of access for all residents, shade, a barbeque, seating, a universal WC and suitable landscaping. Elements extending above parapet height should be setback from the building edges so that they are not visible from the surrounding public domain.	<p>Landscape plans indicate shade, barbeque, seating, a universal WC and suitable landscaping.</p> <p>However, the site slopes quite steeply from the front of the site to the rear, requiring long flights of steps. The applicant has provided communal open space at both levels. The spaces are easily accessed from the street level apartments (and above) via a short ramp, and from the lower level apartments via gently graded paths.</p>
12. With regard to the broader landscape detail, the Panel recommends: a) Incorporation of larger trees at the perimeter of the site, in particular, along the northern boundary adjacent to the car park ramp and	Along the northern boundary is a drainage easement, with restrictions to tree planting. The rear western boundary has at least 23 trees of medium to large size,

<p>along the western boundary between Buildings A and B.</p> <p>b) Provide adequate privacy planting between the shelter/picnic area and the adjacent units, and incorporate another smaller tree in the vicinity to soften the structures.</p> <p>c) Rather than treating the drainage easement as a discrete entity, it could be designed to visually and functionally integrate better with the adjacent communal open space and overall development.</p> <p>d) Consider climbers on frames where there are large scale bare walls eg. at either end of the West elevation Building B</p>	<p>including some substantial Corymbia, Angophora and Eucalyptus.</p> <p>The picnic area is located 3m from the southern adjoining unit C002. Landscaping is provided between the picnic area and the unit.</p> <p>The drainage easement is a wide swale, which is much deeper in the centre than the surrounding community areas. The path shown connecting to the northern block will be a bridge. The applicant designed it as a habitat area, as it is not useable as open space.</p> <p>The applicant has not amended the plans to address this. It is considered that the proposal is satisfactory given the change in colours and materials, articulation and landscape planter boxes proposed on the balconies.</p>
<p>13. In relation to detailed design and layout of private balconies, the Panel recommends that:</p> <p>a) HVAC equipment should preferably be grouped within designated screened plant areas either on typical floors or on roof-tops.</p> <p>b) Wall mounted equipment (e.g. instantaneous gas HW heaters) and associated pipework is concealed into wall cabinets and ducts</p> <p>c) If service equipment is located on private balconies, additional area above ADG minimums should be provided.</p> <p>d) Rainwater downpipes are thoughtfully designed and integrated into the building fabric.</p> <p>e) The above items should be positioned so that they are not visible from common areas or the</p>	<p>All HVAC equipment is located on the roof top.</p> <p>Wall mounted equipment (e.g. instantaneous gas HW heaters) and associated pipework is concealed into wall cabinets and ducts.</p> <p>No services are provided on the balconies.</p> <p>Downpipes are cast into columns and RC slabs.</p> <p>Noted.</p>

<p>public domain adjacent to the development.</p> <p>f) Balustrade design must address visual screening of large items typically stored on balconies, for example BBQ's, clothes drying devices and bicycles.</p>	<p>All balconies are of solid material and provided visual privacy.</p>
<p>14. Active ESD provisions such as rainwater re-cycling, solar power and solar hot water were not discussed at the meeting, however it is assumed that at a minimum these measures will be included in the development.</p>	<p>All BASIX items have been implemented.</p>
<p>15. The Panel recommends that annotated 1:20 scale cross-sections and details of all proposed façade types and materials are included with the DA submission and form part of the consent documentation.</p>	<p>Additional information submitted 1 February 2018 includes a detail cross section (Refer DA27 Issue A).</p>

2.5.2 Planning comment on DEAP advice

As the issues raised by Panel have been satisfactorily addressed, the amended plans were not referred to DEAP for further review. DEAP also noted that amended plans did not require consequent review by the panel. In this regard, Council is satisfied that the requirements under SEPP 65 have been adequately addressed.

2.5.3 Design Quality Principles

SEPP 65 sets 9 design quality principles. The development has adequately addressed the 9 design quality principles in the following way:

ADG design quality principle	Response
1. Context	The design of the proposed buildings is considered to respond and contribute to its context, especially having regard to the desired future qualities of the area. The scale of the buildings and the type of use are compatible with the proposed redevelopment of the precinct and recognises and generally complies with the requirements of The Hills LEP 2012 and The Hills DCP 2012.
2. Built form and scale	The design achieves an appropriate built form for the site and the building's purpose, in terms of building alignments, proportions, type and the manipulation of building elements.
3. Density	The proposed density of the development is regarded as sustainable. The proposed density is considered to respond to the availability of infrastructure, public transport and community facilities while maintaining environmental quality.

4. Sustainability, resource, energy & water efficiency	A BASIX Certificate has been submitted and the building meets the required energy and water efficiency targets.
5. Landscape	The landscaping solutions depicted in the architectural plans are considered to be of satisfactory quality.
6. Amenity	The proposal is considered to be satisfactory in this regard, optimising internal amenity through appropriate room dimensions and shapes, access to sunlight, natural ventilation, visual and acoustic privacy, storage, indoor and outdoor space, outlook, efficient layouts and service areas. The proposal provides for an acceptable unit mix for housing choice and provides access and facilities for people with disabilities.
7. Safety & security	The proposal is considered to be satisfactory in terms of future residential occupants overlooking public and communal spaces while maintaining internal privacy.
8. Social dimensions/housing affordability	The unit mix of the proposal provides acceptable housing choice within the area.
9. Aesthetics	The development provides an appropriate choice of colours, materials and textures that will complement the streetscape and locality.

Integral to SEPP 65 is the Apartment Design Guide (ADG), which sets benchmarks for the appearance, acceptable impacts and residential amenity of the development. The development's compliance with the ADG is assessed below.

2.5.4 Apartment Design Guide

Apartment Design Guide			
Subject	Control	Proposal	Compliance
Communal Open Space (COS)	25% (1,455.225m ²) of site Developments achieve a min. of 50% direct sunlight to the principal useable part of the COS for a min. 2 hours between 9am and 3pm, mid-winter.	1,982m ² (33%) of communal open space is provided. There are a number of COS areas over the site and each area will receive at least 2 hours of sunlight between 9am and 3pm.	Yes
Deep Soil Zones	15% (873.135m ²) of site Min. dimensions of 6m	A deep soil zone of 27% (1,581m ²) is provided.	Yes
Visual Privacy/	Minimum distances to side and rear	<u>Up to 4 Storeys</u>	Yes

Building Separation	<p>boundaries and between buildings on the same site:</p> <p><u>Up to 12m (4 storeys)</u> Habitable rooms & balconies – 6m Non-habitable rooms – 3m</p>	<p>Building A North Complies, providing a 6m setback.</p> <p>West Complies, providing a 9m setback.</p> <p>South Complies, providing a separation of 18m between Building A and Building B.</p>	
	<p><u>Between 12m and 18m (4-8 Storeys)</u> Habitable rooms & balconies – 9m</p>	<p>Building B North Complies, providing a separation of 18m between Building A and Building B.</p> <p>West Complies, providing a 9m setback.</p> <p>South Complies, providing a separation of 12m between Building B and Building C.</p> <p>Building C North Complies, providing a separation of 12m between Building B and Building C.</p> <p>West Complies, providing a 9m setback.</p> <p>South Complies, providing a setback of 6m.</p> <p>5-8 Storeys</p> <p>Building A North</p>	

	Non-habitable rooms – 6m	<p>Complies, providing a 9m setback.</p> <p>West Complies, providing a 9m setback.</p> <p>South Complies, providing a separation of 18m between Building A and Building B.</p> <p>Building B North Complies, providing a separation of 18m between Building A and Building B.</p> <p>West Complies, providing a 9m setback.</p> <p>South Complies, providing a separation of 18m between Building B and Building C.</p> <p>Building C North Complies, providing a separation of 18m between Building B and Building C.</p> <p>West Complies, providing a 9m setback.</p> <p>South A setback of 6m is provided. However, no concerns raised given the site adjoins a park zoned RE1.</p>	
Parking	<p>The site is within 800m of a railway station.</p> <p>As such, parking rates are as per</p>	Two separate basements are proposed; one associated with Building A and one associated with Building B and Building C. Parking spaces for each	Yes, subject compliance with conditions

	<p>RMS requirements being:</p> <p>Building A</p> <ul style="list-style-type: none"> ➤ 0.6 spaces per 1 bedroom unit (11) = 6.6 spaces ➤ 0.9 spaces per 2 bedroom unit (25) = 22.5 spaces ➤ 1.4 spaces per 3 bedroom unit (4) = 5.6 spaces ➤ 1 space per 5 units (40) = 8 spaces <p>TOTAL spaces required = 43 spaces; 34.7 (35) residential and 8 visitor spaces.</p> <p>Building B and C</p> <ul style="list-style-type: none"> ➤ 0.6 spaces per 1 bedroom unit (19) = 11.4 spaces ➤ 0.9 spaces per 2 bedroom unit (52) = 46.8 spaces ➤ 1.4 spaces per 3 bedroom unit (7) = 9.8 spaces ➤ 1 space per 5 units (78) = 15.6 spaces <p>TOTAL spaces required = 84 spaces; 68 residential and 15.6 (16) visitor spaces.</p>	<p>building must be provided in the associated basement.</p> <p>Building A 54 car parking spaces are provided in the basement including 47 residential car parking spaces, 7 visitor car parking spaces and one car wash.</p> <p>A condition is recommended to be included in the consent ensuring 8 visitor spaces are provided within the basement of Building A. This can be achieved given the application proposes four (4) additional residential spaces than what is required.</p> <p>Building B and C 98 car parking spaces are provided in the basement including 81 residential car parking spaces, 17 visitor car parking spaces and one car wash.</p>	
Solar Access	Living rooms and private open space of at least 70% of	88% (104) of apartments receive a minimum of 2 hours	Yes

	apartments in a building receive a min. 2 hours of direct sunlight between 9am and 3pm on 21 June A max. of 15% of apartments in the building receive no sunlight between 9am and 3pm at mid-winter	of direct sunlight between 9am and 3pm on 21 June. 7% (8) of apartments do not receive sunlight between 9am and 3pm at mid-winter. However, it is noted that these units are naturally cross ventilated units.	
Natural Ventilation	At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building	73% (86) of apartments are naturally cross ventilated.	Yes
Ceiling Heights	Habitable rooms 2.7m Non-habitable 2.4m	Min. 2.7m on all levels.	Yes
Apartment Size & Layout	Studio 35m ² 1 bedroom 50m ² 2 bedroom 70m ² 3 bedroom 90m ² (+5m ²)	Studio N/A 1 bedroom 50m ² -66m ² 2 bedroom 75m ² -90m ² 3 bedroom 97m ² -101m ²	Yes
	Master bedrooms have a min. size of 10m ² & other bedrooms 9m ² (excluding wardrobe space)	All bedrooms comply.	Yes
	Bedrooms have a min. dimension of 3m	All bedrooms within the development have minimum dimensions of 3m.	Yes
	Living rooms or combined living/dining rooms have a minimum width of: - 3.6m for studio and 1 bedroom apartments. - 4m for 2 and 3	All minimum dimensions provided.	Yes

	bedroom apartments.		
Private open space and balconies	All apartments are to have primary balconies as follows: 1 bedroom: 8m ² , min. 2m depth 2 bedroom: 10m ² , min. 2m depth 3 bedroom: 12m ² , min. 2.4m depth	All balconies comply.	Yes
Common Circulation	Max. number of apartments off a circulation core on a single level is 8	One core per building with a maximum 8 units on a single level.	Yes
Storage	In addition to storage in kitchens, bathrooms and bedrooms, the following storage is required: Studio: 4m ³ 1 bedroom: 6m ³ 2 bedroom: 8m ³ 3 bedroom: 10m ³	Additional storage for each unit provided in unit and the basement with at least 50% of the storage space located within the unit.	Yes

2.6 The Hills Local Environmental Plan 2012

Zoning and permissibility

The site is zoned R4 High Density under the provisions of The Hills Local Environmental Plan 2012 (THLEP 2012). The development is defined as a “residential flat building” which means a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing. As such, the proposal is permissible with consent in that zone.

Zone objectives

Clause 2.3(2) requires the consent authority to have regard to the zone objectives when determining a development application. The objectives for the R4 High Density Residential zone are:

- *To provide for the housing needs of the community within a high density residential environment.*
- *To provide a variety of housing types within a high density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To encourage high density residential development in locations that are close to population centres and public transport routes.*

The proposal is consistent with the objectives in that the development provides the housing needs of the community within a high density residential environment and within close proximity to population centres and a number public transport routes.

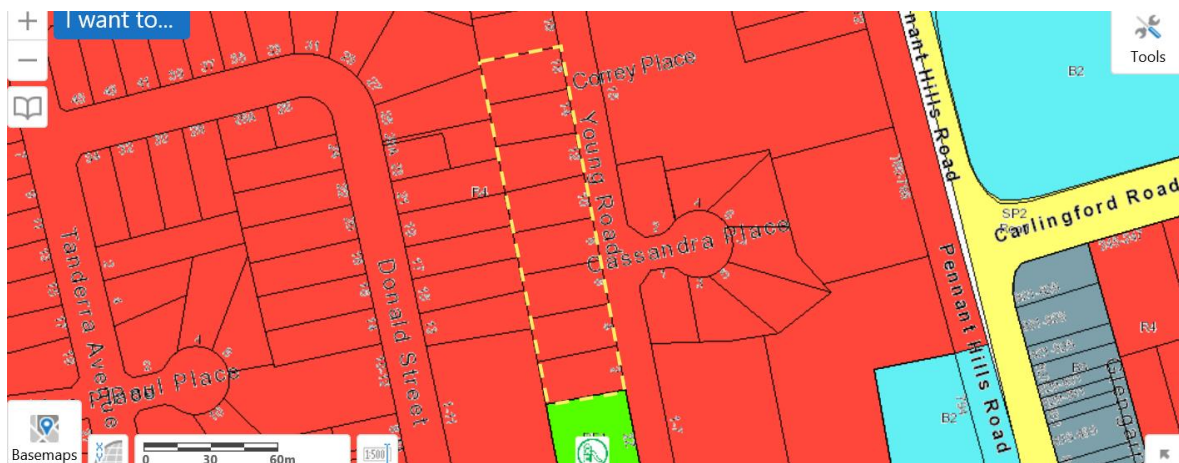


Figure 4: Extract from the LEP zoning map.

Remaining provisions

Consideration of other relevant provision of the Plan is addressed in the following table:

Table 7: THLEP 2012 compliance table

Clause	Comment	Complies
Clause 2.7 Demolition	Demolition is proposed of the existing buildings. Relevant conditions have been imposed to ensure that the demolition works is undertaken in accordance with the relevant standards.	Yes
Clause 4.1 4.1A Minimum lot sizes for dual occupancy, multi dwelling housing and residential flat buildings	Control: 4,000m ² Proposed: 5,820.9m ²	Yes
Clause 4.3 Building height	Control: 21m Proposed: 21m	Yes
Clause 4.4 Floor space ratio	Control: 1.49 :1 Proposed: 1.59:1	No, refer to Clause 4.6 discussion
Clause 4.6 Exceptions to standard	The application proposes a variation to Clause 4.4 Floor Space Ratio pursuant to THLEP 2012.	Yes
Clause 5.1	Not applicable.	

Relevant acquisition authority		N/A
Clause 5.6 Architectural Roof Features	The development does not propose architectural roof features.	N/A
Clause 5.10 Heritage	The site is not a listed heritage item, nor is it within a conservation area. The site is not within close proximity to any heritage items.	Yes
Clause 6.1 Acid sulphate soils	The site is identified a "Class 4" ASS. The works do not trigger need for an ASS management plan as work 2m below the natural ground surface is not proposed.	Yes
Clause 6.2 Earthworks	Consideration of potential impacts upon drainage patterns, and proximity to watercourses have been considered by Council's Development Engineer, who is satisfied the works can be managed without adverse impact. Site works will not prejudice the future development of any adjoining land, or the amenity of that land. No circumstances identified to indicate potential for disturbing relics.	Yes
Clause 6.3 Flood Planning	The site is not identified on the flood planning map. Council's Engineer has reviewed the application and supports the proposal subject to the imposition of conditions.	Yes
Clause 6.4 Terrestrial Biodiversity	The development site is not identified as 'Biodiversity' pursuant to the Terrestrial Biodiversity Map. However, the proposal requires the removal of 80 trees to facilitate the development. Council's Landscape Officer raises no objection to the removal of these trees subject to conditions of consent.	Yes

2.5.1 Clause 4.6 Exceptions to standard

Objectives of Clause 4.4 of the THLEP 2012:

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

A request for an exception under Clause 4.6 was lodged with the application as the proposed development exceeds the Floor Space Ratio development standard for the site permitted by Clause 4.4 Floor Space Ratio of THLEP 2012.

The variation sought is as follows:

Maximum Floor Space Ratio standard under THLEP 2012	Proposed	Degree of variation
1.49:1 / 8,673.14	1.589:1 / 9,249.4m ²	576.26m ² / 6.65%

The applicant provided the following justification (full Clause 4.6 is attached to this report):

- *The amount of additional GFA (576.26m² or 6.65%) is spread out over all three (3) buildings (i.e. 192.02m² per building) the additional bulk on top of each building will not be noticeable from in front of the site in Young Road, only visible from oblique angles some distance from the site.*
- *The proposal is in the public interest because it is consistent with the objectives of the FSR standard and consistent with the objectives of the R4 High Density residential zone;*
- *Because the floor plate on the top floor of each building is smaller than the floors below, only two (2) units per building is proposed and these are afforded generous setbacks, private open space and planter boxes which will afford future residents with quality living environments;*
- *The proposed increase in FSR does not result in the loss of visual privacy or cast any unreasonable additional shadow onto neighbouring residential properties to the east or west or onto the adjoining pocket park abutting the southern boundary of the site to that of a fully compliant 1.49:1 FSR scheme;*
- *The proposal is able to satisfy all applicable objectives of the FSR standard as the bulk and scale of the development is not substantially different to that of a fully compliant FSR scheme with each building below the 21 m maximum building height control;*
- *The proposal will complement the existing and transitional character that this neighborhood is undergoing in terms of additional bulk, scale, form and height;*
- *The proposal allows for a building design that is more in keeping with modern architecture as the proposed buildings will enhance and create variety in the streetscape, having no unreasonable amenity impacts upon the surrounding environment to that of a fully compliant FSR scheme;*
- *The proposed modern design responds to the context of the Carlingford Town Centre, by making this neighborhood a more desirable place to live and work;*
- *The proposal demonstrates that the additional bulk and scale generated by the increased FSR on the top floor of each building, is stepped back and will not be readily visible from the public and private domains;*
- *The proposed design does not interrupt or block views or vistas through the site to the rear and neighbouring properties;*
- *The proposal does not offer increased overlooking opportunities from future residents living on the top floor of each building;*
- *The proposal is in the public interest because it provides a modern urban design outcome that responds to its context and public amenities and services within walking distance of the site;*

- *The proposal provides appropriate housing stock, consisting of a choice of unit types that are within close proximity to excellent public transport, employment zones and other services and amenities that will support the increase in population of this neighborhood;*
- *The proposal is in the public interest as it is consistent with Section 1.3 (c) and (g) of the Environmental Planning and Assessment Act 1979 as it represents the orderly and economic use and development of land and promotes good design and amenity of the built environment;*
- *The proposal offers a better planning outcome in a precinct that is undergoing substantial change in built form and density.*

Assessment of the exception under Clause 4.6

In assessment an exception to vary a development standard, the following needs to be considered:

1. Is the planning control a development standard?

Yes, Clause 4.4 – Floor Space Ratio is a development standard prescribed by THLEP 2012.

2. What is the underlying object or purpose of the standard?

The objectives of Clause 4.4 of THLEP 2012 are to ensure development is compatible with the bulk, scale and character of existing and future surrounding development and to provide for a built form that is compatible with the role of town and major centres.

3. Is compliance with the development standard consistent with the aims of the Development Standard, and in particular does compliance with the development standard tend to hinder the attainment of the objects specified in section 1.3 of the EPA Act?

Compliance with the development standard would be inconsistent with EPA Act which aims to provide planning controls that will encourage a sustainable development, being development which satisfies the principles of ecological (environmental, economic and social) sustainability. The site is capable of being developed to the proposed intensity without unduly impacting on adjoining properties which has been demonstrated through the building envelopes, including substantial setbacks and separation between buildings, landscaping and open space. The proposed works maintain compliance with the controls within the Apartment Design Guide and The Hills Development Control Plan 2012. The plans show that the variation does not in this case hinder compliance with the height, setbacks, landscaping and open space controls. The non-compliance to the standard is considered to be acceptable

4. Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

It is considered that it would be unreasonable to require the development to comply with the maximum height in this instance, as the proposal is compliant with the building footprint controls, height control and provides satisfactory amenity for future occupants.

5. Is the exception well founded?

The Clause 4.6 exception to the development standard of Clause 4.4 – Floor Space Ratio is considered to be well founded and worthy of support for the following reasons:

3. The Hills Development Control Plan 2012

The DCP is comprised of the following sections:

- Part A – Introduction
- Part B – Land Use / Zones
 - Part B Section 2 – Residential
 - Part B Section 5 – Residential Flat Building
- Part C – General Development
 - Part C Section 1 – Parking
- Part D – Site Specific
 - Part D Section 12 – Carlingford Precinct

Table 8: DCP 2012 compliance table

Control	Proposal	Complies
Site Requirements		
Minimum road frontage requirement is 30 metres.	The site has a street frontage of 154.48m to Young Road.	Yes
A residential flat building development shall not isolate adjoining lots.	The proposed development does not result in the isolation of any adjoining lots.	Yes
Building Heights		
The floor level of any residential room must be no lower than one metre below natural ground level.	Unit B001 has a finished floor level which is a maximum 1.5m below	No, however acceptable

	natural ground level. Whilst the unit has a FFL more than 1m below NGL, the proposal can be supported given the unit is a cross ventilated unit, that receives at least 2 hours of direct sunlight to habitable rooms. All other ground floor units comply.	
Building Separation and Treatment		
Minimum separation between buildings is 12 metres.	Refer to ADG.	Yes
Landscape Area		
Minimum of 50% of the area of the site	50% of the site is landscaped.	Yes
Existing trees and vegetation should be preserved especially those in the front setback.	The application proposes the retention of nine (9) trees and the removal of 20 trees. Council's Landscape Officer has reviewed the application and raises no objection over the tree removal given these are trees are of small stature and the landscape plan indicates replacement trees including 15 trees to be planted within the road reserve and planting of over 20 species of trees over the site.	Yes
Building Length		
The maximum linear length of any residential flat building is to be 50 metres.	The buildings do not exceed a length of 50m.	Yes
Building Design and Streetscape		
Horizontal facades should be no more than 10m in width	Horizontal façades are broken up into smaller sections no longer than 10m.	Yes
Density		
Maximum population density is 175 persons per hectare with a desirable range between 150 and 175 persons. That is:	Density = 395.8 Variation = 245.8 / 163.87%	No, however acceptable

(1 bed) 30x 1.3 = 39 (2 bed) 77x 2.1 = 161.7 (3 bed) 11x 2.7 = 29.7 Total = 230.4 (occupancy rate for the development)	Refer to Clause 4.6 of THLEP 2012 for a discussion on floor space and density.	
Unit Layout and Design		
<u>Apartment Mix</u> No more than 25% of the dwelling yield is to comprise either studio or one bedroom apartments. No less than 10% of the dwelling yield is to comprise apartments with 3 or more bedrooms.	<ul style="list-style-type: none"> ○ 1 bedroom = 25% ○ 2 bedroom = 65% ○ 3 bedroom = 10% 	Yes
Open Space		
<u>Private Open Space</u> Ground – Min. 4m x 3m Upper Level – Min. 10m ² , min 2.5m depth <u>Common Open Space</u> 20m ² per dwelling	Refer to ADG. Refer to ADG.	Yes
Carlingford Precinct		
Floor Space Ratio		
Floor Space Ratio in accordance with the Floor Space Ratio Map of The Hills LEP 2012	No, refer to Clause 4.6 discussion	No, refer to Clause 4.6 discussion
Building Height		
Building Height 21m Equivalent Storeys 6 storeys	The proposed building height is 21m. A 7 storey residential flat building is proposed, however the proposal is only 6 storeys when viewed from the street and is maximum 6 storeys at any one point.	Yes
Site Coverage		
Building site coverage shall not exceed of 35% of site area.	The development has a site coverage of 35%.	Yes

Site Requirements		
The minimum site area of development sites shall be consistent with the site areas specified in the potential site amalgamation plan (Figure 8).	<p>Figure 8 indicates an amalgamation with 17 properties, along both Young Road and Donald Street.</p> <p>Whilst the proposal doesn't comply with the amalgamation pattern indicated in Figure 8, the proposal is acceptable given the subject site complies with the minimum lot size development standard and the proposal does not result in the isolation of adjoining lots.</p> <p>It is also worthy to note that majority of the properties within the Figure 8 are owned by Housing NSW.</p>	No, however acceptable.
Deep Soil Zones		
Minimum 25% of the unbuilt upon area of a site is to be a deep soil zone; alternatively, 15% of the total site area, whichever is greater.	<p>A deep soil zone of 27% (1,581m²) is provided.</p> <p>Only areas that met the 6m dimension were included in the calculation of deep soil.</p>	Yes
Apartment Size		
<p>Single-aspect apartments should be limited in depth to 8 metres from a window.</p> <p>The back of a kitchen should be no more than 8 metres from a window.</p> <p>The width of cross-over or cross-through apartments over 15 metres deep should be 4 metres or greater to avoid deep narrow apartment layouts.</p>	Refer to ADG.	Yes
Setbacks		
6m front setback	A 6m setback is provided.	Yes
Side and Rear Setbacks		

<p>Rear setback is to be a minimum of 8m.</p> <p>Side setbacks are to be a minimum of 4.5m to walls and 6m to windows from ground floor to fourth storey, and 6 metres for walls and windows above the fourth storey.</p> <p>A 450mm articulation zone is permitted for non-floor space building elements such as fins louvers, shading devices and balconies.</p>	<p>A 9m rear setback is provided.</p> <p>Refer to ADG.</p> <p>Balconies encroach within these setbacks, within the 450mm articulation.</p>	Yes
Building Separation and Treatment		
<p>The minimum dimensions within a development, for internal courtyards and between adjoining sites shall be:</p> <p>Buildings up to 4 storeys</p> <ul style="list-style-type: none"> - 12 metres between habitable rooms/balconies; - 9 metres between habitable/balconies and non-habitable rooms; and - 6 metres between non-habitable rooms. <p>Buildings from 5 to 8 storeys</p> <ul style="list-style-type: none"> - 18 metres between habitable rooms/balconies; - 12 metres between habitable rooms/balconies and non-habitable rooms; and - 9 metres between non-habitable rooms. 	Refer to ADG.	Yes
Balconies		
<p>Provide primary balconies for all apartments with a minimum depth of 2 metres.</p> <p>The minimum area for a balcony is 10m².</p>	Refer to ADG.	Yes
Solar Access		
<p>Min. 4 hours to landscaped areas, living rooms and POS</p> <p>Limit the number of single-aspect apartments with a southerly aspect (SW-SE) to a maximum of 10 percent of the total units proposed.</p>	Refer to ADG.	Yes
Car Parking Provision		

<p>(a) Parking for residents is to be provided at the rate of</p> <ul style="list-style-type: none"> • 1 space per 1 bedroom apartment (30), • 2 spaces per 2 bedroom apartment (154), and • 2 spaces per 3 bedroom apartment (22). <p>Required = 206</p> <p>(b) Visitor parking is to be provided at the rate of 2 spaces per 5 apartments for all development within the Precinct.</p> <p>Required = 23.6 (24)</p> <p>Total required = 230</p>	<p>230 car parking spaces are required; 206 car parking spaces required to be provided for residents and 24 spaces for visitors under The Hills DCP 2012 controls</p> <p>152 parking spaces are provided, failing to comply with THDCP 2012.</p> <p>As the site located within 800m of Carlingford railway station, the parking rates under the RMS Guide to Traffic Generating Developments apply (Refer to ADG). Under the RMS Guide to Traffic Generating Developments 127 car parking spaces are required.</p> <p>Car Parking has been provided for the proposed development in accordance with RMS guidelines.</p>	<p>Yes (RMS guidelines apply)</p>
Vehicle Access		
<p>Ensure vehicular ingress and egress to the site is in a forward direction at all times.</p> <p>Driveways are to have a minimum width of 6 metres at the property boundary for a distance of 6 metres within the development to ensure easy entry/exit of vehicles.</p> <p>Access to multi-level basement car parks should be provided in the form of a two-way ramp (two lane width - minimum 5.5m</p>	<p>The proposal complies.</p> <p>The proposal complies.</p> <p>The proposal complies.</p>	<p>Yes</p>

wide) or two separate single lane (minimum 3.0m wide) ramps. Locate vehicle entries away from main pedestrian entries and on secondary frontages.	The proposal complies.	
Building Entry		
Provide as direct a physical and visual connection as possible between the street and the entry. Design entries and associated circulation space to be of an adequate size to allow movement of furniture between public and private spaces.	The building entries are visually prominent and provide sufficient circulation space. The entry is between 2m and 3m wide.	Yes
Ceiling Height		
2.7 metre minimum for all habitable rooms on all floors	A minimum ceiling height of 2.7m is provided.	Yes
Ground Floor Apartments		
Optimise the number of ground floor apartments with separate entries.	Separate access provided for ground floor units.	Yes
Provide ground floor apartments with access to private open space, preferably as a terrace or garden.	The ground floor apartments have courtyards.	Yes
Internal Circulation		
Where units are arranged off a double-loaded corridor, the number of units accessible from a single core/corridor should be limited to eight (8).	One core provided for max 8 units.	Yes
Storage		
In addition to kitchen cupboards and bedroom wardrobes, provide accessible storage facilities at the following rates: Residential Flat Buildings - Studio apartments – 6m ³ - One-bedroom apartments – 6m ³ - Two-bedroom apartments – 8m ³ - Three plus bedroom apartments – 10m ³ .	The proposal complies with the ADG requirements.	Yes
Natural Ventilation		
60% of residential units should be naturally cross ventilated. 25% of kitchens within a development should have access to natural ventilation.	The proposal complies with the ADG requirements.	Yes

Roof Design		
Use roof space to provide facilities such as pools, BBQ areas and seating if roof is to be used as COS.	The proposal incorporates a flat roof which is modulated to provide visual interest and articulation. The roof provides communal open.	Yes
Adaptable Housing		
At least 1 unit in each residential flat building with less than 20 units, or 5 percent of the units in any development of 20 or more units, must be either: - An accessible unit to AS 1428 Part 2, suitable for occupation by a wheelchair user; or - Meet Class B adaptability provisions under AS 4299.	The proposed development provides 12 (10%) adaptable units which are accessible from the ground floor and serviced by a lift. The proposed development provides 25 (21) units that are silver level in accordance with the Liveable Housing Design Guidelines.	Yes

4. Planning agreements

The proposed development is not subject to a planning agreement entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F.

5. Environmental Planning and Assessment Regulation 2000

This application satisfies relevant clauses of the Regulation as follows:

Table 9: Relevant EPA Regulations

Clause 50(1)(a)	The nominated documentation is provided being <ul style="list-style-type: none"> ○ A design verification statement; ○ An explanation of the design in terms of the principles in SEPP 65 ○ Relevant drawings and montages
Clause 92	Any demolition work will be undertaken in accordance with AS 2601 - 1991: The Demolition of Structures
Clause 98	All building work will be carried out in accordance with the provisions of the Building Code of Australia.

6. Likely impacts

6.1 Context and setting

The proposal, which is located within the Carlingford Precinct, will not result in any adverse physical impacts and will have a satisfactory relationship with its context, given the substantial separation between buildings, open space, deep soil, landscaping and articulated elevations.

Arrangements for vehicle access, and traffic generation will not compromise safety for road users, and will not reduce the efficiency of the local road network.

The site is located within walking distance to Carlingford Station, bus stops and Carlingford Court.

6.2 Site works

Excavation

Excavation is proposed for a two level basement.

Tree removal

There are a large number of existing trees which will require removal in order to facilitate the proposed development. The proposal includes the removal of approximately 20 trees. A large majority of the existing trees are not deemed worthy of retention and therefore should not become a constraint to development. Fifteen (15) street trees are required to be planted (as per Landscape Plan). The proposed landscape embellishment is deemed satisfactory in concept in its proposal to replenish tree canopy to the site.

Utility services

All utility services are available to the site by virtue of the existing development. Those services will be decommissioned / diverted as necessary to enable construction, and will be augmented as nominated by the relevant service providers to satisfy the demands generated by this proposal.

6.3 Site design

Setbacks

The buildings have substantial front, side and rear setbacks. The proposal will not result in any adverse physical impacts on adjoining properties.

Height, bulk and scale

The height of the buildings is considered satisfactory as previously discussed. The bulk and scale of the proposal is considered satisfactory.

External materials

The schedule of external materials and finishes is satisfactory.

Landscaping

Council's Tree Management and Landscape Officer is satisfied with the landscape treatment, and has recommended conditions to be included in the consent.

6.4 Access, transport and traffic

Parking supply

The number of parking provided satisfies the RMS Guidelines.

Parking access and design

The geometry and design of the parking areas and associated elements is satisfactory.

Construction Traffic

A condition is recommended to be included in the consent requiring a Construction Traffic Management Plan to be prepared and submitted to Council for review and approval prior to any works commencing.

6.5 Water management

Stormwater collection and disposal

Council's Engineer is satisfied with the approach to stormwater management.

Water quality during construction

This matter is addressed by conditions in recommendation to this report.

6.6 Waste management

Construction phase

This matter will be addressed within a Construction Management Plan.

Operation phase

Separate Development Applications are required to be lodged for each individual use.

6.7 Construction Management

To minimise nuisance during the construction period the recommendation to the report requires the preparation of a construction management plan addressing the following matters:

- Dilapidation reports;
- Demolition and removal of hazardous materials;
- Sediment and erosion control and water quality during construction;
- Construction traffic management plan;

- Hours of works;
- Construction noise and vibration;
- Material delivery and storage;
- Safety fencing;
- Traffic and pedestrian safety;
- Dust control; and
- Tree protection.

6.9 Safety, security and crime prevention

Evaluation of the application with consideration of the principles which underpin CPTED (surveillance; access control; territorial reinforcement and space management) indicates the design has given due regard has been given to those considerations.

6.10 Social and economic impacts

The proposed development will complement the locality and is not anticipated to generate any undue adverse social or economic impacts.

7. Site suitability

Subject to compliance with the conditions provided within the recommendation to this report the site is suitable for this development.

8. Public interest

In accordance with the notification procedures that are contained in The Hills Development Control Plan, owners and occupiers of surrounding properties were given notice of the application for a 14-day period between 29 November and 13 December 2017. Amended plans were notified for a 14-day period between 7 March and 21 March 2018.

Nine (9) submissions have been received. The issues raised in the submissions are as follows.

Table 10: Submissions

Issue	Comment
Loss of sunlight	Following an assessment of the ADG and DCP objectives, it is considered the proposal can be supported. Refer to Solar Access of the ADG for a full assessment on overshadowing. The submitted shadow diagrams indicate that adjoining dwellings will receive a minimum of 2 hours sunlight to habitable rooms and private open space between 9am and 3pm.
Tree removal	The application was reviewed by Council's Landscape Officer and upon review of the proposal, raised no objections to the tree removal given majority are of small stature and the landscape plan indicates replacement trees

	including 15 trees to be planted within the road reserve and planting of over 20 species of trees over the site.
Traffic congestion, Insufficient street parking, road width and on site car parking	Car Parking has been provided for the proposed development in accordance with RMS guidelines. The application was reviewed by Council's Traffic Engineer and upon review of the proposal, raised no objections to the development subject to conditions of consent.
Limited street lighting and light pollution	The issue of street lighting and light pollution is not a matter for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979.
Safety for children playing in the Young Road park and within nearby child care centres	Conditions of consent will require the consent holder to provide and maintain a Traffic Management Plan during construction so as not to adversely impede on the current traffic movements and safety in the area. The application was reviewed by Council's Traffic Engineer and upon review of the proposal, raised no objections to the traffic generation of the proposed development.
Pollution and noise during construction	Conditions are recommended to be included in the consent to mitigate the impacts on residents during construction. Conditions relating to dust control and construction noise are included in the consent.
Loss of privacy	Following an assessment of the ADG and DCP objectives, it is considered the proposal can be supported. The proposal complies with the privacy controls contained within the Apartment Design Guide, providing more than the minimum setback required for this residential flat building. Refer to privacy of the ADG for a full assessment on privacy impacts.
Noise pollution	Conditions of consent will be imposed that ensure that the development does not adversely impact on these issues.
Lack of open space	The proposal complies with the open space controls contained in the Apartment Design Guide.
Limited landscaping	The proposal complies with the landscaping controls contained in the Apartment Design Guide and The Hills DCP 2012.
Front setback	The proposal complies with the front setback control contained in THDCP 2012.
Visual bulk	The proposal complies with the height and setback controls.



ATTACHMENT B - CONDITIONS OF CONSENT

SWCCP reference 2017SWC138

DA No. DA/964/2017

GENERAL MATTERS

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

PA0001 # Approved plans and supporting documentation

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

Drawing No.	Prepared By	Dated
Cover Page and Calculations, Drawing No. DA 00	Aleksandar Design Group Pty Ltd	24/01/18
Site Analysis And Demo Plan, Drawing No. DA 01	Aleksandar Design Group Pty Ltd	19/9/17
Site And Roof Plan, Drawing No. DA 02	Aleksandar Design Group Pty Ltd	24/1/18
Basement 2 Plan, Drawing No. DA 03	Aleksandar Design Group Pty Ltd	19/3/17
Basement 1 Plan, Drawing No. DA 04	Aleksandar Design Group Pty Ltd	25/6/18

Ground Floor Plan, Drawing No. DA 05	Aleksandar Design Group Pty Ltd	20/3/18
Level 1 Plan, Drawing No. DA 06	Aleksandar Design Group Pty Ltd	24/1/18
Level 2 Plan, Drawing No. DA 07	Aleksandar Design Group Pty Ltd	24/1/18
Level 3 Plan, Drawing No. DA 08	Aleksandar Design Group Pty Ltd	24/1/18
Level 4 Plan, Drawing No. DA 09	Aleksandar Design Group Pty Ltd	24/1/18
Level 5 Plan, Drawing No. DA 10	Aleksandar Design Group Pty Ltd	24/1/18
Level 6 Plan, Drawing No. DA 11	Aleksandar Design Group Pty Ltd	24/1/18
Deep Soil And GFA Calculations, Drawing No. DA 12	Aleksandar Design Group Pty Ltd	24/1/18
Site Coverage And Communal Open Space, Drawing No. DA 13	Aleksandar Design Group Pty Ltd	19/9/17
Shadow Diagrams – Winter, Drawing No. DA 14	Aleksandar Design Group Pty Ltd	19/9/17
Shadow Diagrams – Summer, Drawing No. DA 15	Aleksandar Design Group Pty Ltd	19/9/17
Sections Aa, Bb, Cc, Drawing No. DA 16	Aleksandar Design Group Pty Ltd	21/9/17

Sections Dd, Drawing No. DA 17	Aleksandar Design Group Pty Ltd	21/9/17
Elevations 1-4, Drawing No. DA 18	Aleksandar Design Group Pty Ltd	19/9/17
Elevations 5-8, Drawing No. DA 19	Aleksandar Design Group Pty Ltd	24/1/18
Elevations 9-12, Drawing No. DA 20	Aleksandar Design Group Pty Ltd	24/1/18
Finishes Schedule Building A, Drawing No. DA 23	Aleksandar Design Group Pty Ltd	11/10/17
Finishes Schedule Building B, Drawing No. DA 24	Aleksandar Design Group Pty Ltd	11/10/17
Finishes Schedule Building C ,Drawing No. DA 25	Aleksandar Design Group Pty Ltd	11/10/17
Detail Drawings, Drawing No. DA 27	Aleksandar Design Group Pty Ltd	24/1/18
Landscape Plan, Drawing No. L 01	Jane Irwin Landscape Architecture	25/1/18
Plant Schedule, Drawing No. L 02	Jane Irwin Landscape Architecture	10/10/17
Level 6 + Level 1 Plan, Drawing No. L 03	Jane Irwin Landscape Architecture	25/1/18
Cover Sheet, Drawing No. SW 100	Sgc Consulting Engineers	22/6/18
Stormwater Concept Design - Basement 2 Plan, Drawing No. SW 200	Sgc Consulting Engineers	22/6/18

Stormwater Concept Design - Basement 1 Plan, Drawing No. SW 201	Sgc Consulting Engineers	22/6/18
Stormwater Concept Design - Level 1 Plan, Drawing No. SW 204	Sgc Consulting Engineers	22/6/18
Stormwater Concept Design - Roof Plan, Drawing No. SW 205	Sgc Consulting Engineers	22/6/18
Stormwater Concept Design - Details Sheet Page 1 Of 2, Drawing No. SW 300	Sgc Consulting Engineers	22/6/18
Stormwater Concept Design - Details Sheet Page 2 Of 2, Drawing No. SW 301	Sgc Consulting Engineers	22/6/18
Erosion And Sediment Control - Plan And Details, Drawing No. SW 400	Sgc Consulting Engineers	22/6/18
Stormwater Concept Design - Music Catchment Plan, Drawing No. SW 500	Sgc Consulting Engineers	22/6/18

Document(s)	Prepared By	Dated
Waste Management Plan	Yi Fang CF Pty Ltd	19/10/17
Arborist Report	Horticultural Resources Consulting Group	13/04/2018
Traffic Report	Trafix – Traffic and Transport Planners	September 2017
Finishes and Schedule, Drawing No. DA23 A, DA24 A, DA25 A	Aleksandar Design Group Pty Ltd	11/10/17
BCA Report	Building Control Group	29/09/2017
Acoustic Report	Acouras Consultancy	28/09/2017
Access	Building Control Group	29/09/2017

BASIX Certificate: 820212M_02		
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Note: In the event of any inconsistency between the architectural plan(s) and the landscape plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.

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

Stage 1: Demolition of eight (8) dwellings, tree removal and RCC pipe Relocation and creation of drainage easement.

General Matters

PA0002 Building work in compliance with BCA

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

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

PA0003 Construction Certificate

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

Reason: To ensure compliance with legislative requirements.

PA0004 No encroachment on Council and/or Adjoining proper

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

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

DANSC0001 RCC Pipe relocation and drainage easement creation.

5. The construction certificate to be issued shall relate to **Stage 1** only and include the only works associated with the construction of the new RCC pipeline within the proposed drainage easement along the property boundary (northern half of eastern and western boundary and whole length of northern boundary). Any other works that is not associated with **Stage 1** works, shall not be included under the **Stage 1** construction certificate.

Reason: To ensure compliance with work staging requirements.

PA0011 #Demolition of Buildings

6. **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.

- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (i) Demolition is to be completed within 5 days of commencement.
- (j) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (k) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (l) Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an

application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

- (m) Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.
- (n) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (o) Before demolition works begin, adequate toilet facilities are to be provided.
- (p) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (q) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
- (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

EPA0062 Soil and Water Management – Stockpiles

- 7. 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

ECA0006 Required to notify about new contamination evidence

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

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

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.)

PB0001 Home Warranty Insurance for \$20,000 over

- 9. Residential building work, within the meaning of the Home Building Act 1989, must not be carried out unless the Certifying Authority for the development to which the work relates fulfils the following:

- (a) In the case of work to be done by a licensee under the Home Building Act 1989; has been informed in writing of the licensee's name and contractor licence number; and is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989, or
- (b) In the case of work to be done by any other person; has been informed in writing of the person's name and owner-builder permit number; or has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purpose of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

Reason: To comply with the Home Building Act 1989.

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

- 10. 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.

PB0003 Building work in compliance with BCA

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

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

PB0020 #S7.12 Contribution – Outside the City Centre

- 12. A monetary contribution comprising \$530,483 is payable to City of Parramatta in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the Parramatta Section 7.12 Development Contributions Plan (Amendment No. 4). Payment must be by EFTPOS, bank cheque or credit card only.

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

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

Parramatta Section 7.12 Development Contributions 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

Reason: To comply with legislative requirements.

PB0029 Environmental Enforcement Service Charge - All DAs

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

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

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

PB0030 Infrastructure & Restoration Adm. fee for all DAs

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

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

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

PB0038 #Security Bonds (For minor development)

15. 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 DA468/2017;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant fourteen days prior to such action being taken. No bank guarantee will be accepted that has been issued directly by the applicant.

Bonds shall be provided as follows:

Bond Type	Amount
Nature Strip and Roadway	\$10,000
Street Trees	\$4,000

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

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

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

PB0032 Constr. Noise Managt. Plan for townhouses & above

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

The Construction Noise Management Plan must include:

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

Reason: To prevent loss of amenity to the area.

DBNSC0001 Detail Drawing of the proposed RCC pipe within the Easement

17. The proposed relocation of council's stormwater pipeline, which runs through middle of the subject site, into the proposed location between the building "A" and "B" requires prior approval from council's Civil Infrastructure Unit. In this regard, the applicant shall liaise with the Civil Infrastructure Unit and the details of the relocation shall be submitted to the satisfaction of council's Civil Infrastructure Unit to obtain approval. The applicant shall comply with the following requirements.
- a. Submission of detailed stormwater drawings to the satisfaction of the Council's Civil Infrastructure Unit. The drawings shall include the followings:
 - i. Stormwater layout plan showing the existing pipelines and the location and the proposed easement width and layout, proposed pipeline layout, size etc.
 - ii. Long sectional profile of the proposed pipe lines with the pipe material, size, class, gradient for each segments, existing surface level, proposed surface level and invert levels at the upstream and downstream side of the pipe segments.
 - iii. Cross-sections and Long section profile of the proposed drainage easement with the natural existing ground levels (channel), finished ground levels and water level (overflow in **1:100** year's storm event as determined by the catchment analysis model).
 - iv. Details of the proposed junction pits and pipes and modification details requirements of the existing pits (*Please contact council's Civil Infrastructure Unit for requirement*)

details on pit type, connections requirements and the relevant standard plan number/drawing).

- v. Supporting documents such as catchment analysis (*for overland flow through the diversion channel within the proposed drainage easement along the boundary i.e. northern half of eastern and western boundaries and whole of the northern side boundary*) and the hydraulic analysis for proposed pipe sizing etc. to the satisfaction of Civil Infrastructure Unit.

Reason: To ensure that compliance with the council's requirements.

DBNSC0002 Construction of the pipeline within the drainage easement

- 18. In order to proceed with the proposed relocation of council's stormwater pipeline, into the proposed drainage easement along the side (northern half of eastern and western boundary and whole length of northern boundary), the applicant shall comply with the followings:
 - a. **Construction of new pits**
The new pits that are proposed to be constructed at the change in direction (at the bend) of the pipeline shall be carried out in accordance with Council Standard Plan and requirements. (*Please contact the council's civil Infrastructure Unit for requirement details on kerb inlet pit type, connections requirements and the relevant standard plan number/drawing*).
 - b. Construction of **525mm** dia RCC pipeline along (within) the proposed drainage easement as redirection of existing pipeline.
 - c. **Connection and Modification of existing pits to suit the connection works.**
The proposed connections, from the kerb Inlet pits and into the existing downstream pits shall be in accordance with council's Standard Plan. In this regard, the modification of the existing pits to suit connections shall be carried out in accordance with Council Standard Plan and requirements. (*Please contact the council's civil Infrastructure Unit for requirement details on kerb inlet pit type, connections requirements and the relevant standard plan number/drawing*)
 - d. Request for inspection by council's Civil Infrastructure Unit, of works during progression as required by Council's Civil Infrastructure Unit.
 - e. Remediation of site upon completion of work to the satisfaction of Council's Civil Infrastructure Unit.
 - f. Upon completion of works, the following documents shall be submitted to council.
 - i. Work-As-Executed Stormwater plan (layout and long section profile) prepared on the copies if the approved plan with the variations marked in RED ink and duly certified by a registered surveyor.
 - ii. A certificate of compliance a qualified drainage/hydraulic engineer. The person issuing the compliance certificate shall ensure that all the works have been completed and comply with the approved plans and the council's requirements.

- g. Final inspection and satisfactory completion of the pipeline relocation works to the satisfaction of Council's Civil infrastructure unit.
Reason: To ensure that the stormwater works comply with council's requirements.

DENSC Registration of Proposed Drainage Easement.

19. Pursuant to the provisions of Section 80(3) of the Environmental Planning and Assessment Act, 1979, the development application be granted a Deferred Commencement Consent subject to the completion of the following:

Submission to Council of copy of the registered document from the Department of Lands confirming the creation of a drainage easement to drain water 3 metres wide centrally located over the **new pipeline, over existing Lot 7 DP223523 (known as 12 Young)** has been registered with the NSW Land and Property Information Service.

Reason: To ensure creation of drainage easement and compliance with council's requirements.

LB0001 Planter Box Details

20. Plans and documents submitted must include the following with an application for a Construction Certificate:
- Construction details are to be provided by a suitably qualified structural engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens. All raised planting boxes/beds containing trees must be retained to a minimum height of 800 mm.
 - 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). Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect/Designer.
 - A specification ('Fit-for-purpose' performance description) for soil type and maintenance schedule specified by a suitably qualified Soil Scientist, to ensure sufficient nutrient and water availability is achieved.

Reason: To ensure the creation of functional gardens.

LB0006 #Statement on specific tree protection

21. A Methodology Statement, prepared by a suitably qualified arborist (Australian Qualification Framework Level 5), must accompany the application for a Construction Certificate. This statement is to identify the measures to be implemented for protection of trees numbered 1, 2, 3, 4, 5, 6, 7 and 20 during construction. The statement is to be structured so that each of the following stages of construction are individually addressed, namely:
- (a) Excavation;
 - (b) Canopy trunk and tree root protection;
 - (c) Construction of any retaining wall;
 - (d) Installation of services (i.e. bridging of roots);
 - (e) Back filling; and

- (f) Any other stages that the project arborist deems necessary.
The methodology statement shall incorporate the prescriptions outlined in the Arboricultural Impact Assessment prepared by Horticultural Resources Consulting Group, dated 4th July 2017 and the requirements of the consent conditions.
Reason: To ensure adequate protection of existing trees.

TB0001 Carparking condition

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

TB0003 Parking spaces to be provided

23. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application. ***Note that the width of the visitor space in Building A basement 1 plan is to be widened to 2.6m, according to Part B Section 5 of The Hills DCP 2012 (Clause 3.19(d)).***
Reason: To comply with Council's parking requirements and Australian Standards.

TBNSC Non-standard - Prior to the issue of a CC'

24. 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 illustrated on plans submitted with the construction certificate.
Reason: To comply with Council's parking requirements and Australian Standards.

TBNSC Non-standard - Prior to the issue of a CC

25. 3 motor cycle spaces are to be provided, divided between the basements of building A, and B/C, in accordance with Clause 2.4 of The Hills DCP 2012 (Part C Section 1) and Clause 2.4.7 of AS 2890.1-2004.
Reason: To comply with Council's parking requirements.

Prior to Work Commencing

PC0001 #Appointment of PCA

26. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:
- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
 - (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

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

Reason: To comply with legislative requirements.

PC0002 Enclosure of the site

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

Reason: To ensure public safety.

PC0003 Site Sign

28. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 detailing:
- (a) Unauthorised entry of the work site is prohibited;
 - (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
 - (c) The name, address and telephone number of the Principal Certifying Authority;
 - (d) The development consent approved construction hours;

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

This condition does not apply where works are being carried.

Reason: Statutory requirement.

BC0001 Toilet facilities on site

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

Reason: To ensure adequate toilet facilities are provided.

PC0005 Public liability insurance

30. 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.

PC0007 Footings and walls near boundaries

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

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

LC0002 #Tree protection as per arborist report

32. The trees identified for protection within the consent shall be protected prior to and during the demolition/construction process in accordance with the Arboricultural Impact Assessment and Tree Protection Plan prepared by Horticultural Resources Consulting Group, dated 4 July 2017, the Methodology Statement and the conditions of consent.

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

LC0006 Pruning/works on tree(s)

33. 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.

LC0007 Tree Protection During Construction

34. Tree protection measures are to be installed and maintained, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 - "Protection of Trees on Development Sites".

Reason: To ensure trees are protected during construction.

EWC0001 Asbestos – hazardous management strategy

35. 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.

EWC0002 Asbestos – signage

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

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

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

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

Reason: To ensure proper management of Council assets.

TD0002 Oversize vehicles using local roads

38. 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.

During Work

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

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

Reason: To protect the amenity of the area.

LD0009 Planting Requirements

40. All trees planted as required by the approved landscape plan are to be a minimum 75 litre container size. All shrubs planted as part of the approved landscape plan are to have a minimum 200mm container size.

Reason: To ensure appropriate landscaping.

LD0011 Tree Removal

41. Trees to be removed are:

	Species	Common Name	Location
	<i>Liquidambar styraciflua</i>	Liquidambar	Refer to arborist report
	<i>Crataegus laevigata</i>	English hawthorn	Refer to arborist report
	<i>Stenocarpus sinuatus</i>	Qld firewheel tree	Refer to arborist report
	<i>Hymenosporum flavum</i>	Native frangipani	Refer to arborist report
	<i>Celtis</i> sp.	Hackberry	Refer to arborist report
	<i>Araucaria columnaris</i>	Cook Pine	Refer to arborist report
	2 x <i>Cupressus leylandii</i>	Leighton's green	Refer to arborist report
	2 x <i>Cupressus leylandii</i>	Leighton's green	Refer to arborist report
	<i>Melaleuca nesophila</i>	Showy honey myrtle	Refer to arborist report
	<i>Fraxinus oxycarpa</i> var. <i>raywoodii</i>	Claret ash	Refer to arborist report

	<i>Fraxinus oxycarpa</i> var. <i>raywoodii</i>	Claret ash	Refer to arborist report
	<i>Celtis</i> sp.	Hackberry	Refer to arborist report
	<i>Crataegus oxyacantha</i>	Hawthorn	Refer to arborist report
	<i>Macadamia tetraphylla</i>	Macadamia	Refer to arborist report
	<i>Stenocarpus sinuatus</i>	Qld firewheel tree	Refer to arborist report
	<i>Celtis</i> sp.	Hackberry	Refer to arborist report
	<i>Liquidambar styraciflua</i>	Liquidambar	Refer to arborist report
	<i>Callistemon viminalis</i>	Weeping bottlebrush	Refer to arborist report

Reason: To facilitate development.

LD0012 Trees with adequate root volume

42. All trees/shrubs planted within the site must be of an adequate root volume and maturity so as not to require staking or mechanical support. Planting must be carried out in accordance with the approved Landscape Plan and conditions of consent.
Reason: To ensure the trees/shrubs planted within the site are able to reach their required potential.

LD0013 Removal of trees by an arborist

43. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Safe Work Australia Guide to managing risks of tree trimming and removal work.
Reason: To ensure works are carried out in accordance the Safe Work Australia Guide to managing risks of tree trimming and removal work.

EWD0001 Asbestos—records of disposal & licensed waste fac.

44. 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.

EWD0002 Asbestos-handled & disposed of by licensed facility

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

Reason: To ensure appropriate disposal of asbestos materials.

EWD0003 Waste data maintained

46. 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 The Hills Development Control Plan 2012 are met.

EWD0005 General requirements for liquid and solid waste

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

Reason: To prevent pollution of the environment

EWD0013 Polluted water excavation - analysis before discharge

48. 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.

ECA0007 Discharge of Contaminated Groundwater

49. 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.

The Stage 2 shall not be operative until all the conditions under stage 1 are complied with. No works under Stage 2 shall be carried out until stage 1 is completed.

Stage 2 - Construction of 3 x 7 storey Residential Flat Buildings containing 118 apartments and associated basement car parking and floodway channel.

General Matters

PA0002 Building work in compliance with BCA

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

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

PA0003 Construction Certificate

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

Reason: To ensure compliance with legislative requirements.

PA0004 No encroachment on Council and/or Adjoining proper

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

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

EWA0002 Amenity of waste storage areas

53. 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.

EPA0062 Soil and Water Management – Stockpiles

54. 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

ECA0006 Required to notify about new contamination evidence

55. 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.

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.)

Amended plans

56. Amended plans are required to the satisfaction of Principal Certifying Authority prior to the issue of a Construction Certificate, indicating the following:
- i. The wall and door within the study room within units shall be deleted. These study rooms shall be an open study room.

DB0001 Final Stormwater Drainage Plan

57. The construction certificate application shall include a final detailed stormwater drainage plan and specifications suitable for construction, prepared by a qualified and experienced stormwater drainage consultant. The final plan shall be in accordance with the abovementioned stormwater concept plan and shall comply with City of Parramatta Stormwater Disposal Policy, the BASIX requirements and with AS 3500.

DB0002 Retaining walls for excavation

58. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600mm in height or within 900mm of any property boundary.

The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is

anticipated, then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior commencement of the works.

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

Reason: To minimise impact on adjoining properties.

DB0003 Sydney Water Quick check

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

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

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

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

DB0004 Dial Before You Dig Service

60. 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.

DB0010 Design to withstand flooding

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

Reason: To ensure the structure can withstand flooding impacts.

DB0011 Flood warning system for medium density

62. A Flood Evacuation & Management Plan must also be prepared by a suitably qualified professional.

The design and certification of the building and the Flood Evacuation & Management Plan must be prepared and submitted with the application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure the structure can withstand flooding impacts.

DBNSC0001 The habitable floor Level

63. The habitable floor level of the proposed building should be at least **500 mm higher** than the flood level at the front property boundary line. In this regard, and in accordance with the flood report prepared by SGC Engineering , issue B, dated

29/06/2017 the floor levels shall be set at the following FFL to prevent floodwater entering the habitable area.

Level 1

Building A – 110.6m AHD (includes 500mm freeboard)

Building B – 110m AHD

Lower ground floor

Building A & B – 106m AHD (includes 500mm freeboard)

Reason: To ensure the habitable floor areas are safe from flood water.

DBNSC0002 Overland Flood path to be unobstructed

64. The flood inundated area shall be kept open and unobstructed. In this regard the followings shall be complied with:

a. **No landfilling within the flood affected area**

The overland flowpath is to be constructed in accordance with the approved plans and flood study report prepared by SGC Engineers Pty Ltd (Reference number 20140076_R01_Floodstudy Issue “B”, dated 29/06/2018. No alterations to levels beyond these plans which may cause adverse flood or stormwater effects on neighbouring properties.

b. **Unobstructed flow across the boundary**

The overland flow path shall be unobstructed. In this regard,

- i. Any fence along the front or rear boundary which lie within the overland flow path or run across the overland flow path shall be constructed of pool type fence with vertical openings that allow free flow of the overland flood through the fence without causing obstruction.
- ii. The landscape provisions within the overland flow path shall be compatible with the overland flow path requirements. In this regard, landscape provision (the retaining wall, the stepping stone and the gravel around the north-western side of the site) should be flush with the natural ground profile, not to be raised above the natural ground level.

Reason: To provide safe and unobstructed overland flow path.

DBNSC0003 Flood Risk Management Measure

65. As a measure for management of flood risk arising due to the overland flow that flows through the subject site, the Flood Risk Management measures as recommended in the Flood Study Report (section 6. - “Mitigation Measure” of the report) shall be implemented and comply with the following requirements as outlined in the report shall be implemented.

Reason: To provide safe Flood Risk Management measure

DB0012 On Site Detention

66. Full engineering construction details of the stormwater system, including OSD structures, pipe networks and calculations as per following points, shall be submitted

for the approval of the PCA prior to release of the Construction Certificate for any work on the site. Prior to the approval of storm water drainage plans, the person issuing the Construction Certificate shall ensure that:

- (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the following Stormwater Plans approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code.
- (i) The final drainage plans are consistent with the submitted Drainage Plans i.e. **"Stormwater Drainage Plan"**, (Drawing reference number 20140076-SW200, SW201, SW202, SW204: Drainage Layout plan, SW300, SW301: cross-sectional details), Revision **"B"** dated 22/06/2018, prepared by SGC Engineers Pty Ltd (5 sheets), together with the notes and rectification as required **and address the issues (as outlined below)**.
 - **Driveway Ramp**
 - To prevent the street stormwater spilling down to the basement, the surface level of the driveway ramp shall be provided with a crest. The crest shall be at RL110.4m AHD (PMF flood level)
 - The driveway shall rise from the kerb & gutter up to the crest along the driveway.
- (b) A Site Storage Requirement of **470 m³/ha** and a Permissible Site Discharge of **80L/s/ha** (when using **3rd edition** of UPRCT's handbook) with the provision of OSD underground tank of storage capacity **29.5m³, 120.6m³ and 116.5m³ for OSD systems, OSD1, OSD 2 and OSD3 respectively**.
- (c) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.
- (d) Changes or alterations to the approved design are not permitted. Any changes, other than that are of minor nature (such as minor relocation of pits and pipes), or the changes that affect the approved landscaping require prior approval from the council.
- (e) The OSD tank shall be wholly located within the site boundaries. This includes footings.
- (f) The OSD Detailed Design Submission (Form B9) and OSD Detailed Calculation Summary Sheets (from B1) are to be submitted with the documentation accompanying the construction certificate application.
- (g) Certificate from registered structural engineer certifying the structural design adequacy of the OSD tank structure.

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

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

DBNSC0005 Driveway Surface to match existing nature strip at property boundary.

67. The driveway(s) **within the nature strip** shall be designed and constructed to match the surface levels with that of existing nature strip at the property boundary, the joints are made smooth, and no part of the concrete protrudes out.

Reason: To provide suitable vehicle access and smooth junction.

DB0017A Construction of a Heavy-duty vehicular crossing

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

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

Reason: To ensure appropriate vehicular access is provided.

DB0018 Exhaust fumes

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

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

DB0020 Security roller shutters for basement car parking

70. Where a security roller shutter or boom gate prevents access to visitor car-parking, an intercom system is required to be installed to enable visitor access to the car parking area. Details of the system and where it is to be located is to accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure visitor car-parking is accessible.

DB0021 Impact on Existing Utility Installations

71. Where work is likely to disturb or impact upon a utility installation, (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.

Note: Details, such as utility type, exact location(s), size, and depths below the ground surface (or reduced level in **mAHD**) etc. shall be obtained from the respective authority or investigated in the field and confirmed by the authority.

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

DB0022 Support for Council Roads, footpath, drainage reserves (Previously EB23)

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

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

Reason: To protect Council's infrastructure.

DB0023 Construction adjacent to a drainage easement (Previously EB24)

73. Foundations adjacent to a drainage easement are to be constructed in accordance with Council's Code "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements – Parramatta City Council Code E-3". The engineering details are to form part of the Construction Certificate documentation.

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

DB0025 #Foundations adjacent to existing drainage pipes (Previously EB26)

74. Foundations adjacent to the existing **450mm dia RCC pipe**, within the **northern boundary of the subject property** must be constructed in accordance with Council's Code, "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements". **Details must be provided to the satisfaction of council's Civil Infrastructure Unit. Those details as approved by the unit** must accompany an application for a Construction Certificate.

Reason: To ensure structural stability of the stormwater pipe.

DB0026 Driveway Grades

75. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 (2004) – "Off-street car parking" to prevent the underside of the vehicles scraping.

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

PB0008 No external service ducts for multi-unit develop

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

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

PB0012 Single master TV antenna

77. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed on each building to service the development. A connection is to be provided internally to each dwelling/unit within the development.

Details of these connections are to be annotated on the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To protect the visual amenity of the area.

PB0028 SEPP 65 verification

78. Design Verification issued by a registered architect is to be provided with the application for a Construction Certificate detailing the construction drawings and specifications are consistent with the design quality principles in State Environmental Planning Policy No-65. Design Quality of Residential Flat Development.

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

Reason: To comply with the requirements of SEPP 65.

PB0032 Constr. Noise Managt. Plan for townhouses & above

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

The Construction Noise Management Plan must include:

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

Reason: To prevent loss of amenity to the area.

PB0033 Energy Provider requirements for Substations

80. Documentary evidence to the satisfaction of the Certifying Authority is to accompany the application for a Construction Certificate confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.

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

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

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

PB0039 #Adaptable Dwellings for Multi-unit and RFB's

81. The development must incorporate 12 adaptable dwellings. Plans submitted with the construction certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

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

LB0001 Planter Box Details

82. Plans and documents submitted must include the following with an application for a Construction Certificate:

- Construction details are to be provided by a suitably qualified structural engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens. All raised planting boxes/beds containing trees must be retained to a minimum height of 800 mm.
- 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). Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect/Designer.
- A specification ('Fit-for-purpose' performance description) for soil type and maintenance schedule specified by a suitably qualified Soil Scientist, to ensure sufficient nutrient and water availability is achieved.

Reason: To ensure the creation of functional gardens.

LB0006 #Statement on specific tree protection

83. A Methodology Statement, prepared by a suitably qualified arborist (Australian Qualification Framework Level 5), must accompany the application for a Construction Certificate. This statement is to identify the measures to be implemented for protection of trees numbered 1, 2, 3, 4, 5, 6, 7 and 20 during construction. The statement is to be structured so that each of the following stages of construction are individually addressed, namely:

- (g) Excavation;
- (h) Canopy trunk and tree root protection;
- (i) Construction of any retaining wall;
- (j) Installation of services (i.e. bridging of roots);
- (k) Back filling; and
- (l) Any other stages that the project arborist deems necessary.

The methodology statement shall incorporate the prescriptions outlined in the Arboricultural Impact Assessment prepared by Horticultural Resources Consulting Group, dated 4th July 2017 and the requirements of the consent conditions.

Reason: To ensure adequate protection of existing trees.

TB0001 Carparking condition

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

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

Reason: To ensure appropriate vehicular manoeuvring is provided.

TB0003 Parking spaces to be provided

85. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application. ***Note that the width of the visitor space in Building A basement 1 plan is to be widened to 2.6m, according to Part B Section 5 of The Hills DCP 2012 (Clause 3.19(d)). Also, 3 motor cycle spaces is to be provided, divided between the basements of building A and B&C, in accordance with Clause 2.4 of The Hills DCP 2012 (Part C Section 1).***

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

TBNSC Non-standard - Prior to the issue of a CC

86. 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 illustrated on plans submitted with the construction certificate.

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

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

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

TBNSC Non-standard - Prior to the issue of a CC

88. 3 motor cycle spaces are to be provided, divided between the basements of building A, and B/C, in accordance with Clause 2.4 of The Hills DCP 2012 (Part C Section 1) and Clause 2.4.7 of AS 2890.1-2004.

Reason: To comply with Council's parking requirements.

Prior to Works Commencing

DC0001 Construction and Traffic Management Plan

89. Prior to the commencement of any works on site, the applicant must submit a Construction and/or Traffic Management Plan to the satisfaction of the Principle Certifying Authority. The following matters must be specifically addressed in the Plan:
- (a) Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:
 - (i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
 - (ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
 - (iii) The locations of proposed Work Zones in the egress frontage roadways,
 - (iv) Location of any proposed crane-standing areas,
 - (v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,

- (vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- (vii) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
- (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
- (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.

(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 Parramatta City Council for any temporary road closures or crane use from public property.

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

(i) Evidence of RTA 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.

DC0002 Road Opening Permits (For all DA's involving drainage works)

90. 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.

DC0003 Dilapidation survey and report for private properties

91. 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.

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

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

Reason: Management of records.

DC0004 Geotechnical report

92. Prior to the commencement of any excavation works on site the applicant must submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:
- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
 - (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result, potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.
 - (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
 - (d) The impact on groundwater levels in relation to the basement structure.
 - (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

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

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

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

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

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

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

93. 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 be site works commence.

DC0007 Site Maintenance

94. 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) are 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.

DC0009 Special Permits

95. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:

(a) On-street mobile plant:

E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's, and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.

(b) Storage of building materials and building waste containers (skips) on Council's property.

(c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.

(d) Kerbside restrictions - construction zones:

The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

The application is to be lodged with Council's Customer Service Centre.

Reason: Proper management of public land.

DC0010 Driveway Crossing Application

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

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

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

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

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

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

DCNSC0002 Existing Damage to public infrastructure

97. 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.

DCNSC0003 Relocation of Sewer line that conflict with the basement car park.

98. The existing sewer line crosses the subject site over the proposed basement and cause conflict, shall be relocated away from the basement by employing appropriate measures in compliance with the requirements of Sydney water.

Reason: To ensure elimination of conflict and compliance with the Sydney water requirements.

PC0001 #Appointment of PCA

99. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:
- (c) 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
 - (d) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.
- The Principal Certifying Authority must determine and advise the person having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

PC0002 Enclosure of the site

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

Reason: To ensure public safety.

PC0003 Site Sign

101. 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:

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

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

This condition does not apply where works are being carried.

Reason: Statutory requirement.

BC0001 Toilet facilities on site

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

Reason: To ensure adequate toilet facilities are provided.

PC0005 Public liability insurance

103. 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:

- (d) Above;
- (e) Below; or
- (f) 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.

PC0007 Footings and walls near boundaries

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

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

LC0002 #Tree protection as per arborist report

105. The trees identified for protection within the consent shall be protected prior to and during the demolition/construction process in accordance with the Arboricultural Impact Assessment and Tree Protection Plan prepared by Horticultural Resources Consulting Group, dated 4 July 2017, the Methodology Statement and the conditions of consent.

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

LC0006 Pruning/works on tree(s)

106. 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.

LC0007 Tree Protection During Construction

107. Tree protection measures are to be installed and maintained, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 - "Protection of Trees on Development Sites".

Reason: To ensure trees are protected during construction.

EWC0001 Asbestos – hazardous management strategy

108. 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.

EWC0002 Asbestos – signage

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

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

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

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

Reason: To ensure proper management of Council assets.

TD0002 Oversize vehicles using local roads

111. 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.

During Work

DD0005 Erosion & sediment control measures

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

Reason: To ensure no adverse impacts on neighbouring properties.

DD0003 Grated drain at the base of the Ramp.

113. A **200mm** wide grated channel/trench drain with a heavy-duty removable galvanised steel grate shall be provided to the full driveway width **of ramp at the base of basement access ramp** to collect driveway runoff. The **grated/channel** drain shall be connected to the **basement pump-out tank** and shall have an outlet of minimum diameter **150mm** to prevent blockage by silt and debris.

Reason: Stormwater control & runoff management

- DD0006 Damage to public infrastructure**
114. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.
Reason: To protect public safety.
- DD0007 Construction of a concrete footpath (for the larger development)**
115. Construction of a **1.2 m** wide by **80 mm** thick concrete footpath across the property frontage within the road reserve in accordance with Council's Standard Plan **#DS3 or as instructed by Council's Civil Infrastructure Unit**. Details of the proposed footpath works shall be submitted to and approved by Council's Civil Asset Team prior to commencement of footpath works. Proof of completion of construction work shall be submitted to the satisfaction of Council prior to release of the Occupation Certificate. All costs are to be borne by the applicant.
Reason: To provide pedestrian passage
- DD0009 Car parking & driveways**
116. Car parking area and internal access ways must be constructed, marked and signposted in accordance with AS2890.1 –2004 'Off Street Car Parking Facilities' prior to an Occupation Certificate being issued.
Reason: To ensure appropriate car parking.
- DD0010 Vehicle egress signs**
117. Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way.
Reason: To ensure pedestrian safety.
- DD0011 Nomination of Engineering Works Supervisor**
118. 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.
- DDNSC0002 Provision of Overland Flow Path**
119. Overland runoff from front street shall be managed by construction of approx. **6.7mm** wide overland flow path between the building "B" and "C" as shown on the architectural plan (Level 1) to collect upstream overland runoff and safely disposing it to the front street. Further, there should be **150mm** opening/gap, measured from the natural ground surface, beneath any fence to allow free flow of the runoff from upstream side of the overland flow path.
Reason: To dispose upstream overland flow safely.
- LD0009 Planting Requirements**
120. All trees planted as required by the approved landscape plan are to be a minimum 75 litre container size. All shrubs planted as part of the approved landscape plan are to have a minimum 200mm container size.

Reason: To ensure appropriate landscaping.

LD0012 Trees with adequate root volume

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

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

EWD0001 Asbestos—records of disposal & licensed waste fac.

122. 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.

EWD0002 Asbestos—handled & disposed of by licensed facilit

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

Reason: To ensure appropriate disposal of asbestos materials.

EWD0003 Waste data maintained

124. 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 The Hills Development Control Plan 2012 are met.

EWD0005 General requirements for liquid and solid waste

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

Reason: To prevent pollution of the environment

EWD0013 Polluted water excavat.- analysis before discharge

126. 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.

EWD0014 De-watering of Excavated Sites

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

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

ECA0007 Discharge of Contaminated Groundwater

128. 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.

Prior to the issue of an Occupation Certificate

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

129. 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.

DE0018 Reinstatement of redundant Laybacks and Disused Vehicular Crossing

130. All redundant laybacks 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 and works shall be completed to the satisfaction of Council prior to the issue of an Occupation Certificate

Reason: To provide satisfactory drainage along kerb & gutter.

DE0001 Proof of Construction of a concrete footpath

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

Reason: To provide pedestrian passage.

DE0014 Proof of Lot consolidation

132. Documentary evidence showing consolidation of all the individual parcels of land holding a separate title within the development site have been registered with the Land and Property Information Division of the Department of Lands, shall be submitted prior to an Occupation Certificate being issued.

Reason: To comply with the Conveyancing Act 1919.

DE0006 Section 73 Compliance Certificate

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

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

DE0003 Work-As-Executed Stormwater Plan

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

- a. The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- 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 using the pyramid volume and prismatic volume calculation method.
- d. OSD WAE Survey certification form and WAE dimensions form (Form B10 and attachment B. Refer to UPRCT Handbook).
- e. Certificate of Hydraulic Compliance (Form B11) from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- f. Approved verses installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- g. Structural Engineer’s Certificate for the OSD tank structure, basement pump out tank structure, OSD basin (retaining) wall etc.

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

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

DE0005 OSD Positive Covenant/Restriction

135. 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 instruments are to be generally in accordance with Council's standard terms for protection of on-site detention facilities” to Council’s satisfaction.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through via an application to the Land Titles Office using forms 13PC and

13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the On-Site Detention facility, including its relationship to the building footprint.

Copy of the Registered documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

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

DE0004 Creation of a Floodway restriction (Previously EE04)

136. Prior to the issue of the Occupation Certificate, the applicant must create a floodway restriction on the title of the subject property.

The restriction is to be over the area inundated by **100-year ARI flood/ overland flow flood**, termed as **“Overland flow path or Flood zone”**, which is the area of land lying below and /or inundated by the 1:100 year’s **overland flood as specified in the Flood Study Report prepared by SGC Engineers Pty Ltd** (reference number 20140076_R01_Floodstudy Issue **“March 2018”**, dated 329/06/2018), preventing the placement of any structures, walls, fences, landfill or other items, which may impede the **100-year ARI overland flood**, within the identified zone. A survey plan of the site showing the flood line and the flood extent shall be prepared and accompany the restriction.

City of Parramatta Council is to be the Authority whose consent is required to release, vary or modify the restriction. The following wording shall be included in the terms of restriction:

“Terms of restriction on use of land within the “Flood Zone”:

1. *The registered proprietor of the lot burdened, in respect of the **“Flood affected area/ flood Zone/ overland flow path”** hereinafter also termed as **“overland flow path/ Flood zone”**, i.e. the area covered by the 100 years ARI **overland flood** as identified on the accompanying plan (**Note: the extent of the flood inundation plan shall be consistent with the Flood inundation/extent, levels, and the associated ground levels**) shall:*
 - (a) *be termed as **“Overland flood zone/ Flood Zone”** as identified as on the accompanying plan.*
 - (b) *not erect or suffer to permit any building, structure or any erection on the whole or in part of the area of the land burdened as the “Flood Zone” without the prior written approval of City of Parramatta Council.*
 - (c) *not place or construction of any structures, walls, fences, fill or other items which may impede the free flow of overland flow within that zone*
 - (d) *shall not make or permit the making of any alterations to the existing profile and ground levels that will reduce the characteristics or capacity of the overland flow path.*

- (e) *permit the Council or its authorised agents from time to time and upon giving reasonable notice (but at any time and without notice in the case of an emergency) to enter and inspect the land for the compliance with the requirements of this covenant*
- (f) *comply with the terms of any written notice issued by the Council in respect of the requirements of this covenant within the time stated in the notice.*

2. *These restriction and covenant shall bind all persons who are or claim under the registered proprietor(s) as stipulated in Section 88E (5) of the Act.*

The area burdened as "Flood Zone" on the lot is identified on the plan.

Reason: To protect the flood path and environment.

DE0007 Street Numbering

137. An application for street numbering must be lodged with Council for approval, prior to the issue of an Occupation Certificate.

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.

DE0010 Effective evacuation report (Previously EE10)

138. 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.

DE0015 Driveway Crossover

139. 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 relevant application form accompanied by supporting plans, levels and specifications together with the appropriate fee outlined in Councils adopted 'Fees and Charges' is required at the time of lodgement.

Reason: Pedestrian and Vehicle safety.

DENSC0002 Post-construction dilapidation report

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

- (a) compare the post-construction **dilapidation** report with the pre-construction **dilapidation** report, and
- (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (c) carry out site inspection to verify the report and ensure that any damage to the public infrastructure as a result of the construction work have been rectified immediately by the developer at his/her cost.
- (d) Forward a copy of the dilapidation report with the PCA's comparison and assessment review report to Council.

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

PE0001 Occupation Certificate

141. 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.

BE0001 Record of inspections carried out

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

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

Reason: To comply with stator requirements.

PE0006 Street Number when site readily visible location

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

Reason: To ensure a visible house number is provided.

PE0007 #BASIX Compliance

144. Under Clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. 820212M_02, will be complied with prior to occupation

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

PE0009 Provision of Endeavour Energy services

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

Reason: To ensure appropriate electricity services are provided.

PE0024 The Release of Bonds

146. 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.

PE0025 SEPP 65 verification statement OC stage

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

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

Reason: To comply with the requirements of SEPP 65.

PE0026 PE25 –Adaptable dwellings Multi-unit and RFB's modi

148. Certification must be provided prior to the issue of an occupation certificate that the required adaptable dwelling(s) have achieved a class C design in accordance with the requirements of AS 4299 -1995.

Reason: To ensure the requirements of The Hills DCP 2012 have been met.

PE0027 Post Construction Private Property Dilapidation Re

149. 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.
150. Prior to the issue of any occupation certificate, evidence that a waste collection service contractor has been engaged to service the site shall be submitted to the satisfaction of the PCA.

Reason: To ensure a waste collection service is commenced at the time of occupation of the development.

EWE0006 Ventilation – waste storage rooms (New Condition)

151. 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.

EFW0002 Provide waste storage room on premises

152. 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) 2012 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

The Use of the Site

LF0001 Landscape maintenance

153. 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.

PF0004 External Plant/Air-conditioning noise levels

154. 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.

PF0049 Graffiti Management

155. 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.

EFW0003 Remove putrescible waste at sufficient frequency

156. 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.

EWF0005 Management of waste storage facilities

157. 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.

EWF0006 Storage of bins between collection periods

158. 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.

EAF0010 Air Conditioners in Residential Buildings

159. The air conditioner/s must not:

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

- (a) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
- (b) before 7.00am and after 10.00pm on any other day.

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

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

Reason: To prevent loss of amenity to the area.

Date:
Responsible
Officer:

16 August 2018
Ashleigh Matta

