

Report to Sydney Central City Planning Panel

SWCCP reference	2018SWC004
DA No.	DA/1040/2017
Date of receipt	21 December 2017
Proposal	Residential flat building development
Street address	37-39 Hill Road – Wentworth Point
Property Description	Pt Lot 8 in DP776611
Applicant	Homebush Bay Properties Pty Ltd
Owner	Homebush Bay Properties Pty Ltd
Submissions	6 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 No. 65 (Design Quality of Residential Apartment Development) • State Environmental Planning Policy (Sydney Harbour Catchment) 2005 • State Environmental Planning Policy (Building Sustainability Index: BASIX) • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy (Coastal Management) 2018 • State Environmental Planning Policy No. 24 – Homebush Bay Area • Homebush Bay West Development Control Plan 2004 and Amendment 1

Summary of Sec 4.15 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 summarized, in the Executive Summary of the assessment report? **Yes**
e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **Not Applicable**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (Sec 7.24)? **Not Applicable**
Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions

Conditions

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

Recommendation	Approval subject to conditions
Report by	Kate Lafferty, Executive Planner

1. Executive Summary

This report considers a proposal to construct a residential flat building ranging from 2 storeys to 9 storeys in height with a 2 storey podium car park sleeved by residential apartments. The proposal contains a total of 207 dwellings. The proposed development is the first block (out of 4 blocks) to be constructed in the redevelopment of the site known as 37-39 Hill Road, Wentworth Point.

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. The application is therefore satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.

This report recommends that the Panel:

- Approve the application, subject to conditions of consent.

2. Key Issues

- Minor variations to Concept Plan height control - partial non-compliance of 1 storey on the corner of Verona Drive and Marine Parade.

3. Site Context

The subject site is located on the eastern side of Hill Road, between Hill Road and Homebush Bay in Wentworth Point. The entire site is identified as Precinct D within the Homebush Bay DCP 2014. This site has not as yet been developed and currently contains industrial/warehousing buildings. The entire site inclusive of streets and foreshore area totals 62,283m².

The following aerial photo indicates the location of the subject site.



Locality Map indicating location of the subject site in Wentworth Point



Aerial photograph indicating the subject site, development on Wentworth Point and Rhodes peninsula

There is a mixture of development in the locality ranging from industrial/warehouse uses to newer multi storey residential flat buildings. The locality includes a ferry terminal with access from Burroway Road and a new bus/pedestrian/cycle bridge connecting the Wentworth Point and Rhodes peninsulas. To the north and south there has been significant redevelopment over the past decade where a transition has occurred from industrial uses to medium to high density living. The SOPA Millenium Parklands is located opposite to the west.

The following aerial photo indicates the location of the subject site and its relationship to the immediate adjoining properties.

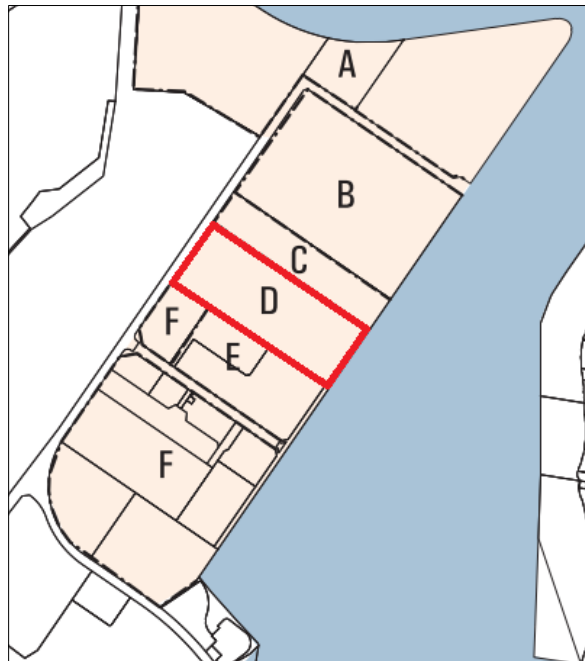


Aerial photograph indicating site and immediate surrounding land uses

4. Background

Wentworth Point is an area undergoing significant redevelopment. Much of the peninsular is reclaimed land historically used for industrial uses. The 1999 Homebush Bay Development Control Plan established a broad direction for the urban structure and design controls which identified the site as suitable for residential and commercial uses.

After the staging of the Olympic Games during September and October 2000, the Department of Planning reviewed the plan to secure the long term viability of the locality. The Homebush Bay West Development Control Plan 2004 was adopted. This DCP sets up precincts for development. The subject site is the entirety of Precinct D which is indicated below.



Homebush Bay DCP 2004 Precincts

HISTORY OF APPROVALS:

Concept Approval

DA-19/2015 (Auburn Reference)

A staged development application (concept design) to establish building locations and envelopes on blocks A-D, including heights, setbacks, parking, new roads and landscaping was approved by the Sydney West JRPP on 16 March 2016.

This Concept DA granted approval for the following:

- The layout of building envelopes across Blocks A - D, including heights, setbacks and illustrative layouts
- A maximum GFA of 97,087m² across Blocks A - D comprising:
 - a maximum total residential floor space across Blocks A - D of 96,482m²
 - a notional location for a small amount of commercial floor space (405m²) adjacent to the proposed public open space within Block B
 - 200m² of retail space in Block D adjacent to the foreshore.
- Provision of up to five levels (totalling approximately 77,500m²) of above ground parking flanked by residential uses
- Provision of three new north-south roads within the site, and one new east-west road along the site's northern boundary providing an access point to Hill Road
- Realignment of Marine Parade
- Landscaping and public domain works.



Approved building height and location plan (Concept Approval)

Amendment to Concept Approval DA/999/2017 (City of Parramatta Reference)

A Section 4.55(2) modification application to amend the approved concept plan for the site was approved by the Sydney Central City Planning Panel on 5 December 2018. The modifications included design refinements incorporating the following: redistribution and realignment of built form, revised location and height of residential towers, repositioning of the public park, reduction in extent of podium car parking, separation of development blocks and confirmation of car parking numbers.



Approved building height and location plan (Amended Concept Approval)

CURRENT APPLICATIONS FOR THE SITE:

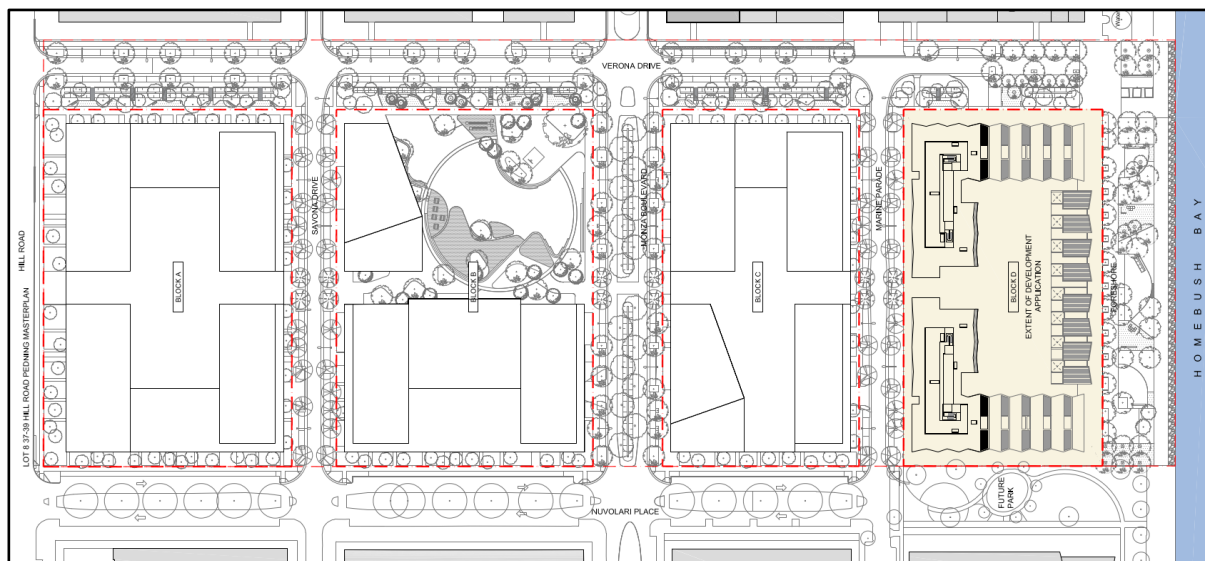
There are currently 2 applications lodged with Council and under assessment.

<p>DA/1041/2017 Infrastructure DA</p>	<p>This application seeks approval for the demolition, tree removal, construction of roads, provision of site infrastructure, reconstruction of the seawall and public domain and landscaping works. This application has a CIV of \$12,882,148 and is to be determined under Council delegation.</p>
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DA/1040/2017 Block D DA	<p>This application seeks approval for the construction of Block D and <u>is the subject of this report.</u></p> <p>This application is reliant upon the approval of the Infrastructure DA (DA/1041/2017) described above, which provides for the infrastructure to service Block D.</p>
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5. The Proposal

The current application is for the Phase 1 building construction development of the site – being the development of Block D at the eastern most section of the site adjoining Homebush Bay. Block D has a proposed site area of **9044m²**.



This application is for Block D located at the east of the site adjoining Homebush Bay

The Block D proposed development includes the following:

- Site preparation works including excavation for one basement level of car parking
- Construction of a residential flat building ranging from 2 storeys to 9 storeys in height with a 2 storey podium car park sleeved by residential apartments.

The building will contain 207 dwellings comprised of:

- 38 x 1 bedroom apartments (18%)
 - 120 x 2-bedroom apartments (58%)
 - 41 x 3-bedroom apartments (20%)
 - 8 x 3-bedroom townhouses (4%)
- Provision of 286 car parking spaces across the two storey podium and basement
 - Provision of associated landscaping
 - Extension/augmentation of services and infrastructure, as required.

Block D will accommodate a total residential floor space of **19,283m²**.

Capital Investment Value = \$81,180,590



Aerial View of the proposed development from the NE adjoining Homebush Bay



Photomontage of the eastern elevation of Block D from Homebush Bay



Photomontage of the western elevation of Block D along the future Marine Parade

6. Permissibility

The site is listed as a “deferred matter” under Auburn LEP 2010.

The site is subject to the provisions of Sydney Regional Environmental Plan No 24 - Homebush Bay Area (SREP24) which does not include zoning. Permissibility is subject to clause 11 which states that, “*development of land within the Homebush Bay Area may be carried out for any purpose that the consent authority considers to be consistent with any one or more of the planning objectives for the Homebush Bay Area*”.

Planning Objectives

The proposed development is consistent with the following planning objective under Clause 12 of SREP24:

- The proposal promotes a type of development and land use other than those relating to public event facilities and is of a type and scale that does not prevent the use or reduce the attractiveness or suitability of the Homebush Bay Area, and Sydney Olympic Park in particular, for public event facilities (Clause 12(c)).

7. Public Notification

The application was exhibited for a period of 30 days between 1 February to 5 March 2018.

Six (6) individual submissions were received. The issues raised within these submissions are discussed in further detail in **Attachment A**.

8. Referrals

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

Does Section 1.7 (Significant effect on threatened species) apply?	No
Does Section 4.10 (Designated Development) apply?	No
Does Section 4.46 (Integrated Development) apply?	Yes Section 91(2) & 91(3) of the Water Management Act 2000
Are submission requirements within the Regulations satisfied?	Yes

10. Consideration of SEPPs

Key issues arising from evaluation against SEPPs	No - A detailed assessment is provided at Attachment A .
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11. Sydney Regional Environmental Plan 24 – Homebush Bay

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

SREP Section	Comment or Non-Compliances
Part 1 Preliminary	<ul style="list-style-type: none"> Consistent
Part 2 General provisions relating to development	<ul style="list-style-type: none"> Permissible in the zone Consistent with zone objectives
Part 3 Special provisions relating to development	<ul style="list-style-type: none"> Consistent with Homebush Bay West DCP All relevant provisions satisfied
Part 4 Protection of the natural environment and heritage items	<ul style="list-style-type: none"> All relevant provisions satisfied

12. Homebush Bay West Development Control Plan 2004 & Amendment 1

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

DCP Section	Comment or Non-Compliances
Part 1 – Preliminary	Consistent
Part 2 – Background	Consistent
Part 3 – General Controls	Satisfactory
Part 4 – Detailed Design Guidelines	Satisfactory

13. Compliance with Concept Plan

The proposed Block D development is generally consistent with the modified concept, with the exception of a minor height non-compliance in the north-eastern corner of the site. This minor non-compliance does not result in any additional adverse impacts upon the streetscape or the locality and is considered acceptable.

A detailed evaluation is provided at **Attachment A**.

14. SCCPP Briefing Minutes

The application was considered at a SCCPP Briefing Meeting held on 28 June 2018.

The key issues discussed at the Panel Briefing Meeting are as follows:

- Acceptance by design jury
- Choice of two storey unusual but demonstrates good outcomes
- Stepping down of units to North and South is different typology to other buildings on foreshore, but note good amenity outcome
- Compliance generally with height except for North West corner of DCP by one storey, but lower than existing approval - so acceptable.

15. Conclusion

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

The application is recommended for approval subject to the imposition of appropriate conditions.

16. Recommendation

- A. **That** the Sydney Central City Planning Panel approve the application DA/1040/2017 subject to the conditions contained within **Attachment B** of the Assessment Report.

ATTACHMENT A - PLANNING ASSESSMENT

SWCCP Reference:	2018SWC004
DA No:	DA/1040/2017
Address:	37-39 Hill Road – Wentworth Point

1. Overview

This Attachment assesses the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, as noted in the table below:

Matters for consideration

Provision	Comment
Section 4.15 (1)(a)(i) - Environmental planning instruments	Refer to Section 3 below
Section 4.15 (1)(a)(ii) - Draft planning instruments	Refer to Section 4 below
Section 4.15 (1)(a)(iii) - Development control plans	Refer to Section 5 below
Section 4.15 (1)(a)(iiia) - Planning agreements	Refer to Section 6 below
Section 4.15 (1)(a)(iv) - The regulations	Refer to Section 7 below
Section 4.15 (1)(a)(v) - Coastal zone management plan	Not applicable
Section 4.15 (1)(b) - Likely impacts	Refer to Sections 2-7 below
Section 4.15 (1)(c) - Site suitability	Refer to Section 9 below
Section 4.15 (1)(d) - Submissions	Refer to Section 10 below
Section 4.15 (1)(e) - The public interest	Refer to Section 11 below

Referrals

The following internal and external referrals were undertaken:

External Referrals	
Water NSW	The application is Integrated Development as an aquifer interference activity approval is required under Section 91(3) of the Water Management Act 2000. Water NSW raised no objections to the proposal and have issued their General Terms of Approval (GTAs).
Department of Industry - Water	The application is Integrated Development as a controlled activity approval is required under Section 91(2) of the Water Management Act 2000. The Department of Industry – Water raised no objections to the proposal and have issued their General Terms of Approval (GTAs).
Ausgrid	Ausgrid were notified of the proposed development on 11 January 2018. Ausgrid have advised that the concept plan conditions (DA/999/2017) would apply to this application. These conditions and standard conditions are included within the recommendation section of this report.
Sydney Water	Sydney Water submitted correspondence primarily containing advisory information for the applicant. This information covers water, wastewater, servicing and approvals. Conditions regarding Sydney Water “Tap in” and Section 73 approvals are included within the recommendation section of this report.
SOPA	SOPA were notified of the proposed development on 11 January 2018. No correspondence has been received to date from SOPA in regard to this application.

RMS	The application was referred to the RMS as it is a traffic generating development under Schedule 3 of the SEPP (Infrastructure) 2007. The RMS have advised that they raise no objection to the proposal.
Internal Referrals	
DEAP	The application was referred to the Design Excellence Advisory Panel. Issues raised by DEAP have been addressed by the applicant and no further design issues are outstanding. This has been discussed in further detail within this report.
Development Engineer	Council's Development Engineer has reviewed the proposed development and raises no objections to the proposal. The application was found to be satisfactory in terms of drainage design, water sensitive urban design and flooding.
Traffic	Council's Traffic Engineer has reviewed the proposed development and raises no concerns on traffic or safety grounds. Based on the analysis and information submitted by the applicant, the proposed development is not expected to have a significant traffic impact on the surrounding road network. Standard conditions including compliance with AS2890, the provision of a construction traffic management plan and provision of splays have been incorporated within the recommendation section of the report.
Landscape	Council's Tree Management & Landscape Officer has reviewed the application and supports the proposal subject to the imposition of standard conditions.
Environmental Health (Waste)	Council's Waste Officer has reviewed the application and advises that the applicant has submitted satisfactory waste management information for the development. The proposal satisfies the requirements of Council's controls and can be supported subject to standard conditions of consent.
Environmental Health (Contamination)	Council's Environmental Health Officer has reviewed the submitted contamination report and supports the application subject to the imposition of standard conditions.

2. Environmental Planning & Assessment Act 1979 (EPA Act)

2.1 Integrated Development

The application is Integrated Development under the provisions of the EPA Act as a controlled activity approval and aquifer interference activity approval are required under the Water Management Act 2000. The Department of Industry (Water) and Water NSW raise no objections to the proposed development and have both provided their General Terms of Approval.

2.2 Concept Development Application

A concept development application has been approved for the site (DA/999/2017).

Division 4.4 of the EPA Act relates to the special procedures concerning concept development applications. In this regard, Section 4.24(2) requires the following:

(2) While any consent granted on the determination of a concept development application for a site remains in force, the determination of any further development application in respect of the site cannot be inconsistent with the consent for the concept proposals for the development of the site.

Compliance with the approved concept plan is indicated within the table below.

Condition	Requirement	Comment	Consistent																						
1	Approved Plans	The proposed Block D development is consistent with the approved plans, with the exception of the partial non-compliance of 1 storey on the corner of Verona Drive and Marine Parade	Yes																						
2	Time period of consent	Expiry of concept approval is 16 March 2021 unless physical works have commenced.	Yes																						
3	No alteration without prior Council approval	Not relevant. Consent is sought for the new building.	N/A																						
4	Subsequent applications to comply with Staged Development approval	<ul style="list-style-type: none">Development is predominantly contained within the approved building footprint and envelope.Proposed floor space = 19,283m² is within the maximum permissible 97,087m²	Yes																						
5	NSW Office of Water General Terms of Approval	Separate GTAs have been issued for this application	Yes																						
5A	NSW Water General Terms of Approval	Separate GTAs have been issued for this application	Yes																						
6	Issuing of Construction Certificates – Controlled Activity Approval	Applicable at Construction Certificate stage only	N/A																						
7	Roads and Maritime Services – General Requirements	Access, compliance with AS2890.1-2004 and works have been considered by Council's Traffic Officer and found to be acceptable.	Yes																						
7A	Car Parking Requirements	<div><p>The application proposes car parking at a rate lower than that contained within the concept plan. In this regard, the following is noted:</p><table><tr><th>Requirement</th><th>Required</th><th>Proposed</th></tr><tr><td>1 bed x 1.0</td><td>38</td><td rowspan="3">273 spaces</td></tr><tr><td>2 bed x 1.5</td><td>180</td></tr><tr><td>3 bed x 2.0</td><td>98</td></tr><tr><td>Total</td><td>316 spaces</td><td></td></tr><tr><td>Visitor 1 per 8 (50% provided on street)</td><td>26 (13 on street)</td><td>26 (13 on street)</td></tr><tr><td>Car share</td><td>1</td><td>1</td></tr><tr><td>Total</td><td>343 spaces</td><td>300 spaces</td></tr></table></div> <p>The proposal is deficient in 43 residential car parking spaces under the concept plan approval. It is however noted that:</p> <ul style="list-style-type: none">The proposal provides for more car parking than stipulated within the HBW DCP (Amendment 1) which would require a maximum of 283 car parking spacesThe RMS and Council's Traffic Engineer have reviewed the application and raise no concerns with the proposed developmentThe non-compliance for this block was anticipated under the Concept Plan approval.	Requirement	Required	Proposed	1 bed x 1.0	38	273 spaces	2 bed x 1.5	180	3 bed x 2.0	98	Total	316 spaces		Visitor 1 per 8 (50% provided on street)	26 (13 on street)	26 (13 on street)	Car share	1	1	Total	343 spaces	300 spaces	No
Requirement	Required	Proposed																							
1 bed x 1.0	38	273 spaces																							
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3 bed x 2.0	98																								
Total	316 spaces																								
Visitor 1 per 8 (50% provided on street)	26 (13 on street)	26 (13 on street)																							
Car share	1	1																							
Total	343 spaces	300 spaces																							

		The car parking provision for this development block is therefore considered acceptable.	
8	Landscaping	A detailed landscape plan was submitted with the application	Yes
9	Wind Mitigation	A wind report was submitted with the application	Yes
10	Remediation – future development applications	The site will be remediated in accordance with the approved Remediation Action Plan (Project 85836.03) prepared by Douglas Partners dated 21.09.2018.	Yes
11	Acoustic report – future development applications	An acoustic report was submitted with the application	
12	Water quality	Relevant to the Infrastructure DA	N/A
13	Stormwater Disposal - SOPA	No stormwater infrastructure is located on SOPA land	Yes
13A	Dual Water Reticulation Piping – future development applications	To be provided as part of this development. Condition to be imposed on consent.	Yes
14	Section 94 Developers Contributions – future stages	To be provided as part of this application. Condition to be imposed on consent.	Yes
15	Road design	Relevant to the Infrastructure DA	N/A
16	Civil works	Relevant to the Infrastructure DA	N/A
17	Access to Public Road	To be provided as part of this application. Condition to be imposed on consent.	Yes
18	Disabled Access & Facilities	To be provided as part of this application. Condition to be imposed on consent.	Yes
19	Commonwealth Disability Discrimination Act	Advisory regarding compliance with the Disability (Access for Premises – Buildings) Standards 2010. To be provided as part of this application. Condition to be imposed on consent.	Yes
20	Target hardening strategies to reduce crime	To be provided as part of this application. Condition to be imposed on consent.	Yes

Discussion of Variations to the Amended Concept Plan

Building Height

The majority of the proposed development is provided with building heights prescribed for the site under the approved Concept Plan.

The building adjoining Verona Drive and Marine Parade is to have a maximum 8 storey height limit.

The application proposes 9 storeys on the corner of Verona Drive and Marine Parade due to the topography of the land. A minor variation to the height is requested by the applicant. The Parramatta Design Excellence Advisory Panel have considered this matter and supported the minor non-compliance as the height is lower than that approved in the original approved concept masterplan and note that the additional storey is due to the sloping of the site and not an increase in the actual height. The proposal is acceptable from an urban design and architectural perspective as it provides for a continuation of the stepped building along Verona Drive whilst keeping height continuity along Marine Parade and creating a better built form outcome.



Verona Drive elevation and area of height non-compliance



Marine Parade elevation and area of height non-compliance

Concept Plan Conclusions

The application is therefore generally consistent with the approved concept plan. The variation to the building height has been addressed above and has been reviewed by the Design Excellence Advisory Panel who raise no concerns with the minor variations.

3. Environmental Planning Instruments

Compliance with these instruments is addressed below.

3.1 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.

This matter was considered and found satisfactory in the assessment of the previous concept approval (Auburn reference: DA-19/2015) and the modification to the concept approval (DA/999/2017).

A detailed site investigation report prepared by Douglas Partners was submitted with the application which identifies the potential contamination sources as follows:

- Filling/reclamation
- Current and previous commercial/industrial land uses
- Off-site sources (landfill)
- Hazardous building materials.

The report identified traces of lead, TRH (total recoverable hydrocarbons) and PAH (Polycyclic aromatic hydrocarbons) and low levels of metals present within the soil. Results for groundwater were below the adopted criteria with the exception of minor exceedances for metals which were considered likely to be indicative of background or diffuse urban source levels and are unlikely to be derived from the subject site. The other exception was ammonia levels which were relatively high but were considered likely to be the result of natural anaerobic degradation of organic materials in the fill and organic clay materials which is typical of this type of environment.

This report recommended the preparation of a remediation action plan.

A remediation action plan (RAP) prepared by Douglas Partners was submitted for Council review. Specifically, the RAP proposes a strategy for remediation of three areas of localised soil contamination within the site. The soil requiring remediation at each of the three areas is impacted by lead, benzo(a)pyrene (B(a)P) and benzene, respectively.

The RAP states that based on the evaluation of remediation options presented, the preferred remediation strategy for benzene, B(a)P and lead impacted soils at the site, considering the site setting, exposure risk and likely volumes, is excavation and off-site disposal to an appropriately licensed landfill.

The RAP concludes as follows:

It is considered that remediation of the site in accordance with the procedures and validation methods outlined in this RAP can render the site suitable for the proposed residential development and appropriately manage potential temporary impacts on the environment.

Council's Environmental Health Officer has reviewed the application and supporting documentation and is satisfied with the information submitted with the application.

Appropriate conditions have been incorporated within the recommendation section of this report.

Accordingly, the development application is satisfactory having regard to the relevant matters for consideration under SEPP 55. Subject to the implementation of the remediation action plan, the site will be suitable for the proposed development.

3.2 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

This Policy aims to improve the design quality of residential flat development. This proposal has been assessed against the following matters relevant to SEPP 65 for consideration:

- The 9 SEPP 65 Design Quality Principles
- The Apartment Design Guide (ADG).

Design Quality Principles

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

Design quality principle	Response
Context	The design of the proposed building is considered to respond and contribute to its context, especially having regard to the desired future qualities of the area. The scale of building and type of use are compatible with the proposed redevelopment of the precinct and recognises and is consistent with the requirements of the modified concept plan for the site.
Built form	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.
Density	The proposal would result in a density appropriate for the site and its context, in terms of floor space yield, number of units and potential number of new residents. The proposed density of the development is regarded as sustainable and consistent with the desired future density.
Sustainability, resource, energy & water efficiency	The development provides opportunities in this regard, as reflected within the submitted Basix Certificate. Energy efficiency is also aided by the use of water/energy efficient fittings, appliances and lighting.
Landscape	The concept landscaping solutions depicted in the architectural plans are considered to be of high quality and appropriately respond to the proposed built environment.
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.
Safety & security	The proposal is considered to be satisfactory in terms of future residential occupants overlooking public and communal spaces while maintaining internal privacy. The building has been designed to be satisfactory in terms of perceived safety in the public domain.
Social dimensions/housing affordability	This principle essentially relates to design responding to the social context and needs of the local community in terms of lifestyles, affordability and access to social facilities and optimising the provision of housing to suit the social mix and provide for the desired future community. It is considered that the proposal satisfies these requirements.
Aesthetics	The proposed development is considered to be appropriate in terms of the composition of building elements, textures, materials and colours and reflect the use, internal design and structure of the resultant building. The proposed buildings aesthetically respond to the environment and context, contributing to the desired future character of the area. The design has been reviewed and supported by the Parramatta Design Excellence Advisory Panel.

Apartment Design Guide (ADG)

The SEPP requires consideration of the ADG which supports the 9 design quality principles by giving greater detail as to how those principles might be achieved. The table below considers the proposal against key design criteria in the ADG:

PARAMETER	DESIGN CRITERIA	PROPOSAL	COMPLIANCE
Communal Open Space	Min 25% of the site area (2261m ²)	Podium 2265m ² = 25%	Yes
	Min 50% of the communal open space is to receive 2 hours direct sunlight between 9.00am and 3.00pm on June 21	Solar access achieved between 9am to 12pm (minimum 3 hours)	Yes
Deep soil zone (entire site)	Minimum dimension of 6m required 7% of the overall site area = 633m ²	= 80m ² or >1% <i>with dimensions below 6m</i>	No

Discussion of Non-Compliance

The applicant has calculated the deep soil with dimensions less than 6m, which is not consistent with the requirements of the ADG. It is noted that the provision of deep soil was not practically provided for within the Homebush Bay DCP or within the concept plan approval, particularly when considering street setbacks of 5m and less, and the recognition that car parking would be provided within above ground podiums. The ADG acknowledges that the design criteria may not be possible on some sites and advocates alternate forms of planting (such as on structure). In this regard, the proposal provides for a large communal open space on the podium level with planters up to 1.7m in depth and capable of supporting trees to a mature height of between 10-20m in addition to a range of shrubs, ferns/cycads, groundcovers and grasses. The non-compliance with the numerical control is therefore considered acceptable in this circumstance.

Building Separation	acceptable in this circumstance:			<u>Within the development</u> Varies Majority of development has a 76m separation between the building wings. Some areas however are 4.5m (window to balcony), 7.2m (balcony to balcony), 8.8m and 15.3m (window to window) (up to Level 8). All of these areas are screened by fixed louvres to reduce visual privacy issues. To adjoining properties: N = 38m S = 37.4m	In part
	Building Height	Habitable rooms and balconies	Non-habitable rooms		
	up to 12m (4 storeys)	12m	6m		
	up to 25m (5-8 storeys)	18m	9m		
	over 25m (9+ storeys)	24m	12m		
	To adjoining properties: N & S = 18m				
Solar Access	At least 70% of living rooms and private open space to receive at least 2 hours direct sunlight between 9.00am and 3.00pm on June 21			70% of apartments (144) receive a minimum of 2 hours solar access. Impacts on adjoining The subject site adjoins a commercial building at 6-8 Baywater Road to the south. An approval for a residential flat building has been granted for this site, however has not	Yes

		been taken up as yet. Given the distances between the proposed building and the future residential site to the south, there will be minimal impact on the future dwellings at 6-8 Baywater Drive. The impacts are reduced on this block due to the proposed stepping of heights along the southern building wing in addition to the separation distances.	
	A maximum of 15% of apartments are permitted to receive no direct sunlight between 9.00am and 3.00pm mid-winter.	14% of apartments (28) receive no direct sunlight during mid-winter.	Yes
Cross Ventilation	At least 60% of apartments are to be naturally cross ventilated.	60% of apartments (125) are cross ventilated. These units are either corner located or cross-through units.	Yes
	Apartment depth is not to exceed 18m	18m maximum	Yes
Ceiling Heights	2.7m for habitable, 2.4m for non-habitable	Elevations indicate 3.2m floor to floor heights Floor to ceiling heights have not been indicated but are achievable.	Yes Condition to be imposed
Apartment Size	Studio – 35m ² 1 bed – 50m ² 2 bed – 70m ² 3 bed – 90m ² (note: minimum internal size increases by 5m ² for additional bathrooms, 10m ² for 4 + bedroom)	Comply	Yes
	All rooms to have a window in an external wall with a total minimum glass area not less than 10% of the floor area of the room.	Comply	Yes
	Habitable room depths to be a maximum 2.5 x the ceiling height (=6.75m)	Comply	Yes
	Maximum depth (open plan) 8m from a window.	Comply	Yes
Bedroom size	Master bedrooms – 10m ² Other bedrooms – 9m ² Bedroom dimensions – 3m min.	Comply	Yes

	Living rooms have a width of: - 3.6m for studio/1bed - 4m for 2 or 3 bed		
Balconies	Studio – 4m ² 1bd – 8m ² / 2m 2bd - 10m ² /2m 3bd – 12m ² /2.4m	Comply	Yes
	Ground or podium apartments to have POS of 15m ² /3m	Ground apartments on the podium level all have large terraces/balconies.	Yes
Circulation	Maximum 8 apartments per level (design criteria) Maximum 12 apartments (design guidance)	Varies 2 x sections have 5 apartments per lift core 2 x sections have 10 apartments accessed via 2 lift cores each	Yes
Storage	1bd – 6m ³ 2bd – 8m ³ 3bd – 10m ³	Internal and basement storage has been provided.	Yes

Parramatta Design Excellence Advisory Panel (DEAP)

The application was considered by the DEAP on 15 March 2018. Recommendations and comments at this meeting included the following:

The Design Excellence Advisory Panel make the following comments in relation to the project:

- 1. The Panel would like to commend Bates Smart on maintaining the essence of the original design approach from the Pre-lodgement stage and for taking the previous DEAP comments into consideration.*
- 2. Within the precinct context, Verona Drive is a strong special element that serves the entirety of the area. The Panel is concerned that a precedent should not be set for deemed privatisation of the street verge and recommends the 7m wide treed median along Verona Drive is maintained.*
- 3. The footpath along the Verona Drive side of Block D is awkwardly located across the boundary and would create differing building setbacks with the area. The Panel recommends having the public footpath outside the site boundary and establishing a building setback that is consistent throughout this and the adjacent sites. This will also assist in creating more deep soil area within the site along Verona Drive.*
- 4. The townhouses on the ground floor have courtyards that are beneficial for their amenity, and also used to provide solar access to the rear of the floor layouts. The Panel supports this configuration but would recommend elaborating on the townhouse courtyard sections and elevations to show that the intended mid-winter solar access will achieve the required 2 hrs for ADG design criteria under Objective 4A.*
- 5. The lift foyer entry to Block A off the future park is restricted compared to other ground level entries, and the front door opens directly into the lift waiting space. A redesign of this and other main entries should also consider the scope for casual seating along the planter edges to provide for social 'bump' space.*
- 6. In the unit configuration there are internal corners for Blocks A+B and Blocks C+D that the Panel indicated could present issues with visual and acoustic privacy. While the Applicant considered that the layouts would overcome any privacy issues, there should be further input on how acoustic amenity between living and bedroom areas can be dealt with.*
- 7. The current Communal Open Space is well designed and thought out, however the depth of the landscaped areas raises concern with the Panel in regards to the quality of vegetation*

- achievable within planters. Further elaboration on the type of planting is required so that great outcomes of amenity and sustainable vegetation are achieved.*
- 8. Along Marine Parade there are some terraces for private open space that may not achieve adequate privacy from the adjacent public domain. The Panel would like to see further clarification of how variations are dealt with in section using different balustrade and landscaping treatments.*
 - 9. The proposed building shows a height of 9 Storeys on its western side when the master plan previously presented shows a maximum of 8 storeys. The Panel would like to note that the additional storey is due to the sloping of the site and not an increase in the actual height. The Panel accepts this change.*
 - 10. 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.*
 - 11. In relation to detailed design and layout, the Panel recommends that:*
 - a. HVAC equipment should preferably be grouped within designated screened plant areas or other concealed compartments.*
 - b. Wall mounted equipment (e.g. instantaneous gas HW heaters) and associated pipework is concealed into wall cabinets and ducts*
 - c. Rainwater downpipes are thoughtfully designed and integrated into the building fabric.*
 - d. The above items should be positioned so that they are not visible from common areas or the public domain adjacent to the development.*
 - 12. 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.*

Panel Recommendation

The Parramatta Design Excellence Advisory Panel (The Panel) supports the proposal in its current form. The Panel advises that this is a well-considered and presented scheme and that the architectural, urban design and landscape quality is of a high standard.

The applicant submitted amended plans to address the above comments. These amendments were reviewed by Council's City Architect who advised that the scheme has been satisfactorily revised to incorporate the recommendations of DEAP.

There are no outstanding urban design matters on this application.

3.3 State Environmental Planning Policy (Infrastructure) 2007

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

Development likely to affect electricity transmission or distribution networks

Based upon the information contained within the submitted survey, the application is not subject to Clause 45 of the SEPP as the development does not propose works within the vicinity of electricity infrastructure that would trigger a written referral to the energy authority.

A substation does exist on site and underground cables are located along Hill Road, however they are not in the vicinity of the proposed Block D works.

The application was referred to Ausgrid who have raised no objections to the proposed development. It is also noted that the application is subject to the concept plan approval and the relevant Ausgrid conditions on that consent will be imposed upon this consent.

Impact of road noise or vibration on non-road development

Clause 102 of the SEPP requires the consent authority to consider the impact of road noise or vibration on non-road development, particularly in relation to more sensitive receivers such as residential, hospitals, child care centres and places of public worship.

Block D is located adjoining Homebush Bay and is located approximately 300m from Hill Road, which is a local collector road. It is within the vicinity of Nuvolari Place and Monza Drive which are also local streets. It is considered that there will be minimal impact of road noise and vibration on the proposed development.

Notwithstanding the above, the concept approval requires the submission of an acoustic report for all future applications of the site. In this regard an acoustic report for the proposed development has been submitted that discusses the management of noise through the implementation of appropriate construction materials and design matters. Conditions are contained within the recommendation section of this report which requires the incorporation of the construction measures to mitigate against noise.

3.4 State Environmental Planning Policy – Basix

The application for the residential development has been accompanied with a BASIX certificate that lists commitments by the applicant as to the manner in which the development will be carried out. The requirements outlined in the BASIX certificates have been satisfied in the design of the proposal.

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

The development has a capital investment value greater than \$30 million. This application is captured by Part 4 of this policy which provides that the Sydney Central City Planning Panel is the determining authority for this application.

3.6 State Environmental Planning Policy (Coastal Management) 2018

The site is not affected by the provisions of the Coastal Management SEPP.

3.7 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 subject site is not identified in the relevant map as *land within the 'Foreshores and Waterways Area'* or *'Wetland Protection zone'*, is not a *'Strategic Foreshore Site'* and does not contain any heritage items. Hence the majority of the SREP is not directly relevant to the proposed development. 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.

3.8 Sydney Regional Environmental Planning Policy No. 24 (Homebush Bay Area)

The site is subject to the provisions of Sydney Regional Environmental Plan No 24 - Homebush Bay Area (SREP24) which does not include zoning. Permissibility is subject to clause 11 which states that, "*development of land within the Homebush Bay Area may be carried out for any purpose that the consent authority considers to be consistent with any one or more of the*

planning objectives for the Homebush Bay Area”.

The relevant requirements and objectives of SREP24 have been considered in the following assessment table.

Requirement	Comment
Clause 10 Consent Authorities	As the cost of works exceeds \$30,000,000, the Sydney Central City Planning Panel is the determining authority.
Clause 11 Permissible Uses	The proposed development is considered to be permissible with consent as it satisfies the requirements of Clause 12 (See below).
Clause 12 Planning Objectives	The proposal is considered to satisfy the objectives of the SREP for the following reasons: <ul style="list-style-type: none"> • The development will facilitate residential development and the redevelopment of the land from industrial use to residential as per the desired future character of the area • The development promotes a co-ordinated, sensitive and high quality development in the Homebush Bay Area in terms of urban design and landscaping • The proposed development will not have any significant detrimental impact upon ecological areas or heritage items.
Clause 13 Matters for Consideration (a) any relevant master plan prepared for the Homebush Bay Area	The development is generally consistent with the Homebush Bay West Development Control Plan which has been used primarily in the assessment of the development application. See separate comments below.
(b) any development control plans prepared for the land to which the application relates	
(b1) to the extent to which it applies to land within Sydney Olympic Park, the “Environmental Guidelines” within the meaning of the Sydney Olympic Park Authority Act 2001 and any plan of management referred to in Section 34 of that Act,	The development application was referred to Sydney Olympic Park Authority for comment and no concerns were raised with respect to the proposal.
(c) the appearance, from the waterway and the foreshores, of the development,	The subject site is located adjoining Homebush Bay. The views of the proposed development from the water are considered acceptable and within context to the wider locality in terms of adjoining development along the peninsula.
(c1) the impact of the development on significant views,	The proposed buildings do not impact upon any significant view lines.
(d) the effect of the development on drainage patterns, ground water, flood patterns and wetland viability	The proposed development is not expected to have any significant impacts on these matters. The application has been referred to both DPI – Industry and Water NSW who raise no objections to the proposal.
(e) the extent to which the development encompasses the	The development provides opportunities in this regard, as reflected within the submitted Basix Certificate. Energy

Requirement	Comment
principles of ecologically sustainable development,	efficiency is also aided by the use of water/energy efficient fittings, appliances and lighting.
(f) the impact of carrying out the development on environmental conservation areas and the natural environment, including flora and fauna and the habitats of the species identified in international agreements for the protection of migratory birds,	The proposed development would not impact on the natural environment.
(g) the impact of carrying out the development on heritage items, heritage conservation areas and potential historical archaeological sites	The subject site is not a heritage item or within a heritage conservation area.
Clause 19 Flood Prone Land	Part of the site is predicted to be affected by the probable maximum flood (PMF). All habitable areas and vehicular basement entrances are located above the PMF level.
Clause 20 Contaminated land	This issue has been discussed elsewhere within the report (SEPP55 assessment).
Clause 20A Acid sulphate soils	The application was accompanied by an ASSMP prepared by Douglas Partners. The screening tests undertaken indicated that although PASS was confirmed at the site, there was no indication of AASS. The plan provides for procedures for the appropriate management/mitigation of environmental impacts that may result from the disturbance of AASS or PASS, and to provide a monitoring program for validating the effectiveness of the management process.
Clause 23 Development near an environmental conservation area	The subject site is not located in the vicinity of an environmental conservation area.
Clause 24 Protection of heritage items and heritage conservation areas	The subject site does not contain any items of heritage and is not identified as a conservation area.
Clause 27 Development affecting places or sites of known or potential Aboriginal heritage significance	The proposed development will not have any impact upon any identified places or potential places of aboriginal significance or archaeological sites.
Clause 28 Development affecting known or potential historical archaeological sites of relics of non-Aboriginal heritage significance	The subject site is not identified as an archaeological or potential archaeological site.
Clause 29 Development in the vicinity of a heritage item	This has been discussed above.
Clause 30 Development in heritage conservation areas	The subject site is not identified as being located within a heritage conservation area.

3.9 Local Environmental Plans

The provision of the Auburn Local Environmental Plan (ALEP 2010) is not applicable in this instance and the land falls into the “Deferred Matter” as noted on the LEP Map.

4. Draft Environmental Planning Instruments

There are no specific draft environmental planning instruments that apply to the development site or the proposed development.

5. Development Control Plans

5.1 Homebush Bay West Development Control Plan 2004 (as amended)

The majority of controls for this proposal are contained within the ADG or the approved concept plan for the site. The relevant general considerations and remaining additional controls contained within the HBW DCP that would apply to this application are outlined below.

DCP Section	Comments															
Part 2 Background Design Framework Principles	<ul style="list-style-type: none">• The proposed development is consistent with the desired street and public domain pattern of the site.• The proposed development is consistent with the design framework principles.															
Part 3 General Controls	<ul style="list-style-type: none">• The majority of these controls are not applicable as the proposed development is subject to an approved concept plan and the design requirements of the Apartment Design Guide (ADG). Notwithstanding this, the proposal generally complies with the requirements contained within this section of the DCP. Any non-compliances with the DCP were justified within the concept plan approval.															
Part 4 Detailed Design Guidelines	<ul style="list-style-type: none">• The majority of these controls are no longer relevant as the proposed development is subject to an approved concept plan and the design requirements of the Apartment Design Guide (ADG). Notwithstanding this, the proposal generally complies with the requirements contained within this section of the DCP. Any non-compliances with the DCP were justified within the concept plan approval.• Vehicle Parking. Vehicle parking for the proposal is discussed under the Concept Plan discussion within this report. The application complies with the motorcycle parking and bicycle parking requirements of the DCP as indicated in the table below.<table><tr><th>Type</th><th>Requirement</th><th>Required</th><th>Proposed</th><th>Comply</th></tr><tr><td>Motorcycle Parking</td><td>Residential 1 per 25 units</td><td>8</td><td>11</td><td>Yes</td></tr><tr><td>Bicycle Parking</td><td>1 bed – Nil 2 bed – 0.5 spaces 3 bed – 0.5 spaces Visitors – 1/15 dwgs TOTAL</td><td>Nil 59.5 25 16 101 spaces min</td><td>The provision of 16 bicycle parking for visitors and the use of storage cages for residential bicycle parking is considered acceptable.</td><td>Yes</td></tr></table>	Type	Requirement	Required	Proposed	Comply	Motorcycle Parking	Residential 1 per 25 units	8	11	Yes	Bicycle Parking	1 bed – Nil 2 bed – 0.5 spaces 3 bed – 0.5 spaces Visitors – 1/15 dwgs TOTAL	Nil 59.5 25 16 101 spaces min	The provision of 16 bicycle parking for visitors and the use of storage cages for residential bicycle parking is considered acceptable.	Yes
Type	Requirement	Required	Proposed	Comply												
Motorcycle Parking	Residential 1 per 25 units	8	11	Yes												
Bicycle Parking	1 bed – Nil 2 bed – 0.5 spaces 3 bed – 0.5 spaces Visitors – 1/15 dwgs TOTAL	Nil 59.5 25 16 101 spaces min	The provision of 16 bicycle parking for visitors and the use of storage cages for residential bicycle parking is considered acceptable.	Yes												

	<ul style="list-style-type: none"> • Wind Impacts. The application is supported by a technical report prepared by Vipac which concludes the development would be expected to generate wind conditions in the ground level footpath areas, the building entrances, the Level 2 outdoor amenity areas, and at the outdoor terraces areas within the acceptable wind criteria. • Geotechnical Suitability and Contamination. Contamination has been addressed under the SEPP 55 discussion above. A Geotechnical Report prepared by Douglas Partners accompanies the subject application and establish that the site is suitable for the proposed development having regard to its groundwater conditions. An Acid Sulphate Soils Management Plan prepared by Douglas Partners also accompanies the subject application. • Crime Prevention. The proposed complies with the stipulated performance criteria related to safety and security by enhancing the interface between public and private space and providing a high level of passive surveillance of the public domain surrounding the site. • Building Access. The building contains appropriate pedestrian access from the streets to be delivered via the Infrastructure DA (DA/1040/2017), with the exception of the ground floor south-eastern core apartments which have direct access to a residential lobby via the southern boundary. This access can only be provided when the adjoining pocket park on the adjoining site at 6-8 Baywater Drive is delivered. The proposal has been designed to enable a temporary 1.5m wide footpath to be provided within the subject site until the adjoining park is constructed and has legal public access. A covenant is recommended to be created for this temporary footpath to be removed and landscaped once the future park has been delivered. • Adaptable Housing. The proposed development provides 41 adaptable apartments representing 20% of the total number of apartments. • Stormwater Management. Stormwater generated within the proposed block will be treated to the required water treatment rates through proprietary treatment devices and measures and discharged to Homebush Bay. The proposed development will also incorporate the use of a 16KL rainwater harvest tank for irrigation purposes. • Waste Management. A waste management plan was submitted which outlines measures to minimise waste during the construction phase and details of the operational waste management. Waste storage areas are provided on site and may accommodate Council vehicle collection with access from Verona Drive. Appropriate conditions regarding design and easements for access have been included within the recommendation section of this report. • Public Art and Design. There is minimal opportunity to provide for public art on the development block due to the building form and setbacks proposed. Public art and design will be provided for in the public domain, which is subject to a separate application.
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Part 5 Homebush Bay Bridge Development (Amendment 1)	• Land Use and Density				
	CONTROL	DESIGN CRITERIA	REQUIRED	PROPOSED	COMPLY
	Floor space Precinct D	Residential	96,482m ² (max)	19283m ² (remaining = 77,199m ²)	Yes
		Commercial	405m ² (max)	Nil (this will be provided in future stage Block B)	N/A
		Retail	200m ² (max)	Nil (this will be provided in future stage Block B)	N/A
		Total	97,087m ² (max)	18,902m ² (however this excludes above ground parking & horizontal corridors which have historically been excluded from development on Wentworth Point & reflected within the approved Concept Plan)	N/A

6. Planning Agreements

The proposed development is not subject to a planning agreement entered into under Section 7.4 of the EPAA.

7. Environmental Planning and Assessment Regulation 2000

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection are addressed as part of recommended conditions of consent.

8. Likely Impacts

The likely impacts of the development have been discussed within this report and it is considered that the impacts are consistent with those that are to be expected given the applicable planning framework and previous approvals on the site. The impacts that arise are acceptable, subject to the imposition of appropriate conditions.

9. Site Suitability

The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development.

10. Public Interest

10.1 Draft District Plans – West Central District

The draft District Plan sets out opportunities, priorities and actions and provides the means by which the Greater Sydney Region Plan, *A Plan for Growing Sydney* can be put into action at a local level. Broadly, the priorities and actions within the draft plan for the West Central District are:

- Support and deliver GOP
- Encourage employment growth
- Create a more connected District

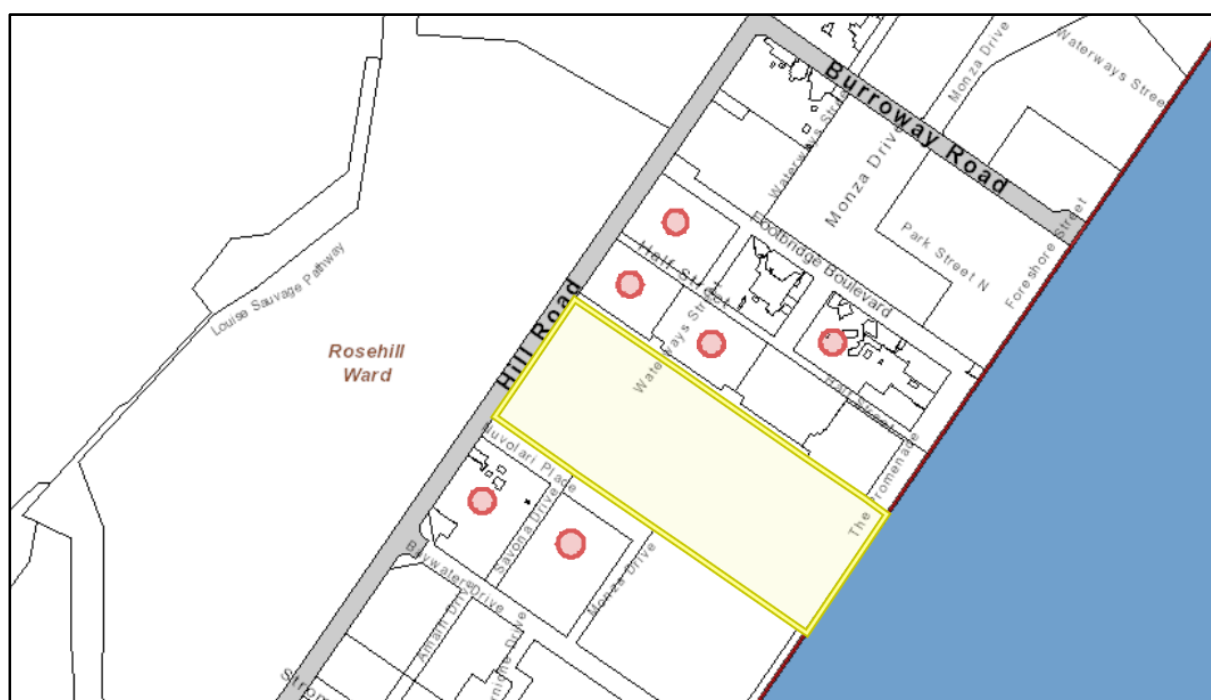
- Improving housing design and diversity
- Design vibrant and activity centres
- Provide communities with better services
- Showcase the Western Sydney Parklands
- Improve access and health of waterways
- Manage growth with eco-friendly planning

This application is consistent with the specific controls introduced by the Department of Planning and Environment and therefore accords with the draft West Central District Plan.

10.2 Public Submissions

In accordance with the notification procedures contained in Section 3.0 of Auburn DCP 2010 and legislative requirements, the proposal was advertised in the local paper and a sign placed on the site with owners and occupiers of surrounding properties given notice of the application for a 30 day period between 1 February and 5 March 2018. In response, six (6) individual submissions were received.

A map indicating the location of the submitters is provided below.



Map of Submitters
Yellow Highlight = Subject Site Red Circles = Objectors

The issues raised within these submissions are discussed below.

Issues Raised	Comment
Whether the waterfront walkway will be extended following this development. <i>Note – this is not a formal objection but rather a general enquiry. A separate response has been provided to the submitter and no</i>	The foreshore promenade will be delivered as part of the Infrastructure DA and will be constructed before the use of the proposed Block D development. This promenade area will be appropriately landscaped and publicly accessible.

<i>further correspondence has been received.</i>	
Objection to increased density	The density for the entire site has been considered and approved in principle through the concept plan. There is no proposed increase in density to that which has been approved through the concept plan.
Inadequate privacy between buildings	The proposal provides for separation distances to adjoining properties to the north of 38m and to the south of 37.4m which is well in excess of the 18m required under the ADG. In addition, street and park vegetation will provide an adequate buffer between buildings at the lower levels.
Inadequate parking provision	The application proposes car parking that is generally consistent with the concept plan requirements, and which is higher than the parking requirement under the Homebush Bay West DCP. Sufficient car parking has been provided for the proposed development.
Inadequate public transport	The site is within proximity to bus and ferry services, with access to Rhodes train station. The provision of public transport is a State Government function and outside the scope of this development application.
Inadequate road planning within the area (trucks damaging signs and lights)	The road design is primarily based on the requirements contained within the HBW DCP and has been assessed under the Infrastructure DA for this site. Adequate swept paths have been provided on the proposed new roads and have been supported by Council's Traffic officers.
Increased traffic impacts	<p>A concept approval has been granted for the proposed development (including the road design) and the traffic impacts of the entire redevelopment of the site were taken into consideration during that assessment process. There are no additional dwellings or vehicles proposed beyond that approved in concept.</p> <p>In addition, the application has been considered by the RMS and Council's Traffic Section who raise no concerns with the proposed development.</p>
Additional recreational area is required – more parks are required in the area	No public recreation areas are proposed as part of this application for Block D. The overall site will provide for a publicly accessible park on Block B and foreshore, in accordance with the HBW DCP requirements and concept plan approval.
Obstruction of views	<p>Based upon strata plans identified for the objector's property, the objector would currently have a restricted oblique view from the recessed balcony across the subject site to Homebush Bay.</p> <p>The property at 6-8 Baywater Drive is located to the east of the objector's property (and south of the subject site). This site has 2 x approvals for residential development. The site closest to the objector's property has an approval for residential flat</p>

	<p>buildings ranging in height from 8-16 storeys. The location of these approved buildings would restrict the objector's view to the high rise buildings north of Verona Drive (and north of the subject site).</p> <p>It is considered that measures required to preserve the existing view would be unreasonable given the planning controls relating to the development site and the permissible building envelope approved on the site under the concept plan (DA/999/2017) and approvals granted on adjoining properties at 6-8 Baywater Drive.</p>
Insufficient landscaping	The provision of landscaping on the site is considered acceptable. Whilst the design does not comply with the numeric design criteria of the Apartment Design Guide, it does comply with the alternate approach to the provision of planting provided on structures (a design guideline) and achieves the objective that allows for the support of healthy tree and plant growth. Street tree planting will also be provided as part of the Infrastructure DA and add to the visual and vegetative amenity of the area.
No high rise should be permitted – the low level 8 storeys of the “older” Wentworth Point should be maintained	The HBW DCP (including Amendment 1) provided for greater heights within the precincts that contributed to the construction of the Bennelong Bridge. High rise development is therefore envisaged for the site through the DCP requirements.
Increased density will result in a loss of community values	This concern was not discussed in detail. There is no evidence to support this claim.
Impacts on infrastructure – drainage and sewerage	Council's Development Engineer and Sydney Water have reviewed the proposal and raise no concerns from a drainage, water supply or sewerage perspective.
Impacts on community – decreased property values and increase in crime	<p>The potential impacts of the proposed development have been assessed and it is considered that these impacts are acceptable for the proposal. No evidence has been submitted as to how the proposed development will adversely impact on the resale value of adjoining properties.</p> <p>There is no evidence to suggest that there will be an increase in crime as a result of the proposed development. The proposed design satisfies the CPTED principles and provides for satisfactory surveillance, access, territoriality and maintenance/image.</p>
Impacts during construction	Conditions of consent will assist in minimising the impacts during construction, including restricted hours of construction works, dust and noise suppression, and traffic management.
A variety of concerns were raised by an objector which are related to the modification to the concept plan (DA/999/2017) which was a	These concerns are not related to the subject application.

separate application and not relevant to this particular application (for example, relocation of towers and size and location of pocket park).	
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AMENDED PLANS

Yes

Summary of amendments

The plans were amended with minor modifications to address concerns raised by DEAP and Council officers. These modifications included the following:

- Reconfiguration of Verona Drive, including the relocation of the pedestrian pathway outside of Block D and the removal of the proposed Linear Park (refer to separate Infrastructure DA - DA/1041/2017 - for further details)
- Minor adjustments to site area and correction of floor space calculation
- Minor change to unit mix
- Provision of a temporary pathway at the interface between Block D and the proposed pocket park across Nuvolari Place
- Revisions to the proposed stormwater network including an increase to the rainwater tank size, inclusion of Enviropod devices, and sediment basins.

Amended Plans re-advertised or re notified

No

Reason amendments not renotified

In accordance with clause 3.4.1 of the Auburn DCP 2010 notification procedures entitled "*Amended Applications*" the application did not require re-notification as the amended application is considered to be substantially the same development and does not result in a greater environmental impact.

10.3 Conclusion

Having regard to the assessment within this report, the proposal is considered to be in the public interest for the following reasons:

- The proposal is in accordance with the type of development envisaged for the site under SREP 24 – Homebush Bay Area, the Homebush Bay West DCP 2004 and the approved concept plan
- The proposal will contribute to the overall housing supply of the local government area
- The proposal does not result in any unreasonable environmental impacts and provides for a high quality architectural and urban design outcome.

11. Disclosure of Political Donations and Gifts

No disclosures of any political donations or gifts have been declared by the applicant or any organisation / persons that have made submissions in respect to the proposed development.

12. Development Contributions Plan

The development would require the payment of contributions in accordance with Auburn Development Contributions Plan 2007 (as amended). The Section 7.11 Contributions will be based upon the following criteria:

- 38 x 1 bedroom apartments
- 120 x 2-bedroom apartments
- 49 x 3-bedroom apartments

The contributions payable will total **\$927,315.00**. This figure is subject to the consumer price index as per the relevant plan and will be imposed under the subject application.

13. Conclusion

The application has been assessed relative to Section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework.

The proposed development is appropriately located within a locality earmarked for high-density residential redevelopment, however some variations (as detailed within the report) in relation to Apartment Design Guide and the approved Concept Plan are sought.

Having regard to the assessment of the proposal from a merit perspective, Council officers are satisfied that the development has been responsibly designed and provides for acceptable levels of amenity for future residents. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the minor departures noted above, is consistent with the intentions of the relevant planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

The application is recommended for approval subject to the imposition of appropriate conditions.

Reasons for Approval

Having regard to the assessment within this report, the proposal is considered to be suitable for approval for the following reasons:

- The proposal is in accordance with the type of development envisaged for the site under SREP 24 – Homebush Bay Area and the Homebush Bay West DCP 2004
- The proposal is generally consistent with the Homebush Bay West DCP 2004 and the approved concept plan for the redevelopment of the site
- The proposal will contribute to the overall housing supply of the local government area
- The proposal does not result in any unreasonable environmental impacts and provides for a high quality architectural and urban design outcome.
- For the reasons given above, approval of the application is in the public interest.

Note: This application should not be determined before the approval of DA/1041/2017 as the proposed Block D is reliant upon the infrastructure works proposed within DA/1041/2017.

14. Recommendation

That the Sydney Central City Planning Panel, as the determining authority, grant consent to Development Application No. DA/1040/2017 for the construction of a 2-9 storey residential flat building (Block D) comprising 207 dwellings, 286 car parking spaces within the basement and podium level and associated landscaping on land at 37-39 Hill Road, Wentworth Point for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the conditions contained within **Attachment B**.

ATTACHMENT B - CONDITIONS OF CONSENT

SWCCP Reference:	2018SWC004
DA No:	DA/1040/2017
Address:	37-39 Hill Road – Wentworth Point

APPROVAL SUBJECT TO CONDITIONS

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

That the Sydney Central City Planning Panel, as the determining authority, grant consent to Development Application No. DA/1040/2017 for the construction of a 2-9 storey residential flat building (Block D) comprising 207 dwellings, 286 car parking spaces within the basement and podium level and associated landscaping on land at 37-39 Hill Road, Wentworth Point for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the following conditions:

General Matters

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.	Drawing Name	Prepared By	Dated
Architectural Drawings – Project No. S12088A			
Project No. S12088A	Cover Sheet	Bates Smart	-
A00.001 Issue C	Existing Site + Block Plan	Bates Smart	14.11.2018
A00.002 Issue C	Indicative Stage 1 Operational Plan + Demolition Plan	Bates Smart	14.11.2018
A01.001 Issue C	Proposed Site Plan	Bates Smart	14.11.2018
A02.006 Issue D	Masterplan Public Domain Alignment	Bates Smart	20.11.2018
A03.0B1 Issue C	Basement 01 Plan	Bates Smart	14.11.2018
A03.000 Issue C	Ground Floor Plan	Bates Smart	14.11.2018
A03.001 Issue C	Level 01 Plan	Bates Smart	14.11.2018
A03.002 Issue C	Level 02 Plan	Bates Smart	14.11.2018
A03.003 Issue C	Level 03 Plan	Bates Smart	14.11.2018
A03.004 Issue C	Level 04 Plan	Bates Smart	14.11.2018
A03.005 Issue C	Level 05 Plan	Bates Smart	14.11.2018
A03.006 Issue C	Level 06 Plan	Bates Smart	14.11.2018
A03.007 Issue C	Level 07 Plan	Bates Smart	14.11.2018
A03.008 Issue C	Level 08 Plan	Bates Smart	14.11.2018
A03.009 Issue C	Roof Plan	Bates Smart	14.11.2018
A07.001 Issue C	Elevations – Sheet 1	Bates Smart	14.11.2018
A07.002 Issue C	Elevations – Sheet 2	Bates Smart	14.11.2018
A07.003 Issue C	Elevations – Sheet 3	Bates Smart	14.11.2018
A08.001 Issue C	Sections – Sheet 1	Bates Smart	14.11.2018
A08.002 Issue C	Elevations – Sheet 2	Bates Smart	14.11.2018
A08.003 Issue C	Sections – Detail – Sheet 1	Bates Smart	14.11.2018
A08.004 Issue C	Sections – Detail – Sheet 2	Bates Smart	14.11.2018
A08.005 Issue C	Sections – Detail – Sheet 3	Bates Smart	14.11.2018

A40.004 Issue C	Photomontages – Sheet 1	Bates Smart	14.11.2018
A40.005 Issue C	Photomontages – Sheet 2	Bates Smart	14.11.2018
A40.006 Issue C	Photomontages – Sheet 3	Bates Smart	14.11.2018
A50.010 Issue C	Apartment Types – 1 Bed	Bates Smart	14.11.2018
A50.020 Issue C	Apartment Types – 2 Bed – Sheet 1	Bates Smart	14.11.2018
A50.021 Issue C	Apartment Types – 2 Bed – Sheet 2	Bates Smart	14.11.2018
A50.030 Issue C	Apartment Types – 3 Bed – Sheet 1	Bates Smart	14.11.2018
A50.031 Issue C	Apartment Types – 3 Bed – Sheet 2	Bates Smart	14.11.2018
A50.032 Issue C	Apartment Types – 3 Bed – Sheet 3	Bates Smart	14.11.2018
Materials	DA Design Report	Bates Smart	-
Landscape Package – Project No. 17-453			
Issue N	Block D Landscape Masterplan	Arcadia	Dec 2018
Issue N	Podium Section CC	Arcadia	Dec 2018
Issue N	Podium Section DD	Arcadia	Dec 2018
Issue N	Podium Section EE	Arcadia	Dec 2018
Issue N	Soil Depth Diagram	Arcadia	Dec 2018
Issue N	Planting Palette – Podium	Arcadia	Dec 2018
Issue N	Planting Schedule – Podium	Arcadia	Dec 2018
Issue N	Planting Palette – Public Domain	Arcadia	Dec 2018
Issue N	Planting Schedule – Public Domain	Arcadia	Dec 2018
Drawing Issue 5	100 Ground Floor Landscape Block D	Arcadia	Dec 2018
Drawing Issue 5	101 Ground Floor Softworks Block D	Arcadia	Dec 2018
Drawing Issue 5	102 Ground Floor Softworks Block D	Arcadia	Dec 2018
Drawing Issue 5	103 Ground Floor Softworks Block D	Arcadia	Dec 2018
Drawing Issue 5	104 Ground Floor Softworks Block D	Arcadia	Dec 2018
Drawing Issue 5	200 Podium Building Block D	Arcadia	Dec 2018
Drawing Issue 5	201 Podium Building Softworks Block D	Arcadia	Dec 2018
Drawing Issue 5	202 Podium Building Softworks Block D	Arcadia	Dec 2018
Drawing Issue 5	203 Podium Building Softworks Block D	Arcadia	Dec 2018
Civil works Package – Project No. 17-477			
DAC101 Issue D	Cover Sheet + Locality Plan	at&l	14.12.2018
DAC102 Issue D	General Notes and Legends	at&l	14.12.2018
DAC105 Issue D	General Arrangement Plan	at&l	14.12.2018
DAC110 Issue D	Siteworks + Stormwater Drainage	at&l	14.12.2018
DAC140 Issue D	Proposed Indicative Overland Stormwater Flow	at&l	14.12.2018
DAC145 Issue D	Stormwater Details	at&l	14.12.2018
DAC146 Issue D	WSUD Tank Plan + Details	at&l	14.12.2018
DAC170 Issue D	Erosion + Sedimentation Control Plan	at&l	14.12.2018
DAC171 Issue D	Erosion + Sedimentation Control Details	at&l	14.12.2018

Document(s)	Prepared By	Dated
Block D Architectural Design Report – Revision C	Bates Smart	Nov 2018
Stormwater Management Development Application Report & Appendices (Report No. 17-477-01 Revision 02)	At&I	17.12.2018
Demolition & Construction Management Plan – Issue 1	-	08.12.2017
DA Noise Impact Assessment (Reference 20171464.1/0311A/R0/JR Revision 1)	Acoustic Logic	03.11.2017
Acid Sulfate Soils Management Plan (Project 85836.02/R.001.Rev0)	Douglas Partners	16.07.2018
Geotechnical Report (Project 85836.00/R.001.Rev1)	Douglas Partners	18.08.2017
Site Waste Minimisation and Management Plan	Homebush Bay Properties	30.09.2017
Waste Management Plan (Rev C)	Elephant's Foot	10.11.2017
BASIX Certificate No. 864257M_03	-	31.10.2018
Ecologically Sustainable Development Report (Reference: 17-0611 – Issue A)	Efficient Living	04.12.2017
Remediation Action Plan (Project 85836.03.R.001.Rev0.RAP)	Douglas Partners	21.09.2018

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.

- Notwithstanding any stamped drawings within the DA package, no approval for public domain works outside the boundary of the development site the subject of this development application is given under this development consent.

Reason: To minimise conflict between drawing packages under the separate development applications on the site.

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

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

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

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

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

6. 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.

7. The development is to be carried out in accordance with the General Terms of Approval of DPI Water (Reference No. IDAS1104880) dated 8 May 2018.

Note: The General Terms of Approval issued by DPI Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to DPI Water for the relevant approval after development consent has been issued by Council and before the commencement of any work or activity.

Reason: To comply with legislative requirements.

8. The development is to be carried out in accordance with the General Terms of Approval of WaterNSW (Reference No. F2018/1605) dated 22 March 2018.

Note: The General Terms of Approval issued by DPI Water do not constitute an approval under the *Water Management Act 2000*. The development consent holder must apply to WaterNSW for the relevant approval after development consent has been issued by Council and before the commencement of any work or activity.

Reason: To comply with legislative requirements.

- 8A. The proposal shall be constructed in stages as reflected within the following table. All conditions of this consent relate to both Stage 1 and Stage 2 unless otherwise stated within this consent. Where conditions relate to both stages of development the relevant parts of that condition for each stage will only need to apply.

Stage	Works
Stage 1	<ul style="list-style-type: none">Remediation, excavation, shoring and construction of all works up to street level.
Stage 2	<ul style="list-style-type: none">Construction of the entire building at street level and above.

Reason: To confirm the staging of the construction works.

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)

9. The following public domain matters shall be addressed and indicated within the Construction Certificate for Stage 2:

(a) **Foreshore Zone Interface**

The proposed public footpath on the eastern (foreshore) boundary of the development is to be relocated to ensure that it is located wholly outside the private development lot.

(b) **Southern Boundary Access Path**

A temporary 1.5m wide public footpath is to be provided on the southern boundary (Nuvolari Place) of the development providing access to ground level apartments. This temporary footpath is to be replaced with suitable pedestrian access and

landscaping following the construction and provision of appropriate public access over of the adjoining park at 6-8 Baywater Road.

(c) Universal Access

The provision of best practice universal access to the main building lobbies is to be indicated.

Reason: To ensure publicly accessible and private development assets are clearly legible and accessible.

10. The following must be provided with an application for a Construction Certificate:

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

Reason: To ensure the creation of functional gardens.

11. Plans submitted with the Construction Certificate for Stage 2 must illustrate that the approved landscape plan referenced in Condition 1 incorporates the following change in plant species. The following species must be replaced:

- (a) The replacement of *Gleditsia triacanthos* ‘Sunburst’ ‘Golden Honey Locust’ from all Planting Schedules with a selection from the following:
Tristanopsis laurina ‘Luscious’
Melaleuca bracteata ‘Revolution Gold’

Reason: Inappropriate species.

12. On site waste collection shall be undertaken by the City of Parramatta Council. In this regard, waste storage area/s and access thereto are to be designed in accordance with Appendix A8.1 of Parramatta DCP 2011. Details are to be submitted to, and approved by the Group Manager, Development and Traffic Services Unit before the issue of any Construction Certificate.

Note: In this instance, Council vehicles require a minimum 3.8m head clearance height for vehicle access which may require minor modifications to the proposed vehicle entry design.

Reason: To ensure that appropriate waste collection facilities are provided.

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

Reason: To maintain the amenity of the area.

14. Any garbage chutes must be designed in accordance with the requirements of the *Building Code of Australia* and the Department of Environment and Climate Change *Better Practice*

Guide for Waste Management in Multi-Unit Dwellings. Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.

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

15. The following car parking spaces shall be provided for the development:
- (a) A minimum of 273 car parking spaces for residents (with a minimum of 1 space allocated per dwelling)
 - (b) A minimum of 26 car parking spaces for visitors provided as follows:
 - (i) 13 car spaces within the nominated car parking area on site
 - (ii) 13 car parking spaces located within Marine Parade adjoining the site (to be constructed through the Infrastructure DA – DA/1041/2017)
 - (c) A minimum of 1 car share space located within Marine Drive (to be constructed through the Infrastructure DA – DA/1041/2017). The car share parking space must be publicly accessible at all times, adequately lit and sign posted. Details are to be illustrated on plans submitted with the relevant Construction Certificate.

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

16. Accessible car-parking spaces must be provided as part of the total car-parking requirements. These spaces and access to these spaces must comply with AS2890.6 - 'Parking facilities' - 'Off-street parking for people with disabilities and AS1428.1 - 'Design for access and mobility' - General requirements for access - New building work' 2001 and 2009 and AS1428.4 - 'Design for access and mobility' - 'Tactile ground surface indicators for orientation of people with vision impairment' - 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009, and AS4299-1995 Adaptable Housing.

Details are to accompany an application for a Construction Certificate for Stage 1 to the satisfaction of the Principal Certifying Authority.

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

17. The bicycle storage/racks for the residents are to comply with AS 2890.3-1993. Details are to be illustrated on plans submitted with the Construction Certificate for Stage 1 to indicate the provision of storage for each unit in addition to the area required for bicycle storage.

Reason: To comply with Council's parking requirements.

18. A minimum of 16 bicycle spaces/racks for visitors are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-2015. Details are to be illustrated on plans submitted with the Construction Certificate for Stage 1.

Reason: To comply with Council's parking requirements

19. 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 for Stage 1.

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

20. The Principal Certifying Authority 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 for Stage 1.

Reason: To ensure appropriate vehicular manoeuvring is provided.

21. Sight lines at the property line are to be provided in accordance with the minimum requirements specified in Figure 3.3 of AS 2890.1-2004 (a splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway) on both sides of the access driveway. This splay shall not to be compromised by obstructions greater than 900mm in height such as landscaping, signage fences, walls or any display materials.
Reason: To ensure pedestrian safety.
22. Where a security roller shutter or boom gate prevents access to visitor carparking, 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 for Stage 1 to the satisfaction of the Principal Certifying Authority.
Reason: To ensure visitor car parking is accessible.
23. A Construction Certificate must not be issued over any part of the site requiring a controlled activity approval or Water Supply Work Approval and if required, a Water Access Licence until a copy of the approval/s have been provided to Council.
Reason: To ensure the appropriate approvals are obtained from the Department of Industry (Land and Water) and Water NSW where required prior to the issuing of a Construction Certificate.
24. Any proposal to connect to existing stormwater infrastructure located on Sydney Olympic Park Authority (SOPA) land must be either accompanied by:
- correspondence from Council clearly confirming the infrastructure is owned, regulated and managed by Council under a formal agreement with SOPA or;
 - must (either concurrently or subsequent with the DA) **seek separate approval from SOPA** as the regulatory authority to connect. The application must include detailed information about not only the physical connection but the calculated stormwater quality and flows including all modelling and assumptions.
- Reason:** To ensure consent is obtained to facilitate stormwater connection.
25. The perimeter walls and floor of the basement shall be constructed using a “tanked” (waterproofed) construction method, to prevent any flood and ground waters seeping through the basement walls and floor base. Basement walls and the base slab must be designed to withstand hydrostatic loading. Groundwater must be conveyed around the basement if necessary to replicate predevelopment groundwater flow conditions.
- The landowner shall manage groundwater inflows and outflows during construction and thereafter in perpetuity, including monitoring, to ensure all of the requirements of the Water NSW/DPI Water are satisfied and that there are no adverse effects on the environment and public health, including water table levels, surface and groundwater flow regimes, contamination and pollution, flooding, water quality and structural stability.
- Details of the above shall be submitted to the satisfaction of the Principal Certifying Authority before the issue of a Construction Certificate for Stage 1.
Reason: Protection of the environment and public health.
26. Water quality treatment devices must be installed to manage surface runoff water. Details of the proposed devices and their location must accompany the application for a Construction Certificate for Stage 2 to the satisfaction of the Principal Certifying Authority and be generally in accordance with the “Stormwater Management Development Application Report” by at&I Rev 02 Dec 2018.
Reason: To ensure appropriate water quality treatment measures are in place.

27. All roof water and surface water is to be connected to an approved and operable drainage system. Details are to be shown on the plans and documentation accompanying the application for a Construction Certificate for Stage 2.

Reason: To ensure satisfactory stormwater disposal.

28. The provision of utility services to the building shall include dual water reticulation piping (lilac pipes) to enable connection to future recycled water via the Sydney Olympic Park **Water Reclamation and Management Scheme (WRAMS)** or other future recycled water system (including Sydney Water). The dual reticulation (dual pipe) system is to be installed of sufficient size and capacity to supply all potable and non-potable water uses for the building including single connection point at the boundary of the site for connection to a future recycled water scheme. Details are to be included in the Construction Certificates.

Reason: To provide for dual water reticulation on the site.

29. 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 Principal 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 Principal Certifying Authority.

Reason: To minimise impact on adjoining properties.

30. 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.

31. All vehicular and pedestrian entry points and any other penetrations to the basement level, including fire stairs that exit the building below the PMF level, are to be protected with passive systems (such as increased crest levels or steps or flood doors to exclude all floodwaters up to the PMF which may be assumed to be RL 2.15m AHD. Details are to be submitted to the Principal Certifying Authority for approval prior to issuing of the Construction Certificate.

Reason: To protect the basement from flooding.

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

- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
- (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - (i) The permissible site discharge (PSD) rate; or
 - (ii) The rate of inflow for the one hour, 5 year ARI storm event.

- (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- (d) A 100 mm freeboard to all parking spaces.
- (e) Submission of full hydraulic details and pump manufacturers specifications.
- (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

Plans and design calculations along with certification from the designer indicating that the design complies with the above requirements are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the Construction Certificate for Stage 1.

Reason: To ensure satisfactory storm water disposal.

33. Where shoring will be located on or will support Council property, engineering details of the shoring are to be prepared by an appropriately qualified and practising structural engineer. These details are to include the proposed shoring devices, the extent of encroachment and the method of removal and de-stressing of the shoring elements. These details shall accompany the application for a Construction Certificate for Stage 1. A copy of this documentation must be provided to Council for record purposes. All recommendations made by the qualified practising structural engineer must be complied with.

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

34. 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 Principal Certifying Authority.

Reason: To ensure appropriate vehicular access is provided.

35. A monetary contribution comprising **\$927,315.00** is payable to the City of Parramatta Council in accordance with Section 7.11 or 7.12 of the Environmental Planning and Assessment Act 1979 and the *Auburn Development Contributions Plan 2007 (Amendment 1)*. Payment must be by EFTPOS, bank cheque or credit card only.

Contribution Type	Amount
Open Space	\$ 437,498.30
Community Facilities	\$ 244,908.35
Traffic Management	\$ 181,093.95
Plan Administration	\$ 63,814.40
Total	\$ 927,315.00

The contribution is to be paid in full to Council prior to the issue of any Construction Certificate for Stage 1.

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

The *Auburn Development Contributions Plan 2007 (Amendment 1)* can be viewed on Council's website at: <https://www.cityofparramatta.nsw.gov.au/business-development/planning/development-contributions>

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

36. The Construction Certificate for Stage 1 is not to be issued unless the Principal 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.
37. An Environmental Enforcement Service Charge must be paid to Council prior to the issue of a Construction Certificate for Stage 1. 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.
38. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Construction Certificate for Stage 1.
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.
39. In accordance with Section 4.17(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds payable to Council for the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application/approval associated with the allotment, (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate is not required.

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/1040/2017;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

Bond Type	Amount
Development Site Bond	\$25,000

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

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

- Reason:** To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner so as not to cause any disruption or possible accidents to the public.
40. Residential building work, within the meaning of the Home Building Act 1989, must not be carried out unless the Principal 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.
41. 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 for Stage 2 to the satisfaction of the Principal Certifying Authority.
- Reason:** To ensure the quality built form of the development.
42. Design Verification issued by a registered architect is to be provided with the application for a Construction Certificate for Stage 2 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.
43. Any exhaust ventilation from the car park is to be ventilated in accordance with the provisions of AS1668.1. Details demonstrating compliance are to be provided with the Construction Certificate.
- Reason:** To preserve community health and ensure compliance with acceptable standards.
44. Prior to the issuing of the Construction Certificate for Stage 1 details are to be submitted to the Principal Certifying Authority that the footings and slabs of the development have been designed to withstand the impacts of salinity. The design of the development is to take into consideration the guidelines within the Department of Infrastructure, Planning and Natural Resources document -*Western Sydney Salinity Code of Practice 2003*.
- Reason:** To ensure appropriate safeguards against salinity.
45. All outdoor lighting and lighting of publicly accessible spaces must comply with the relevant provisions of AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting, and with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting, and designed so

as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill.

A detailed lighting plan demonstrating compliance with these requirements be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

Reason: To protect the amenity of the surrounding neighbourhood from the emission of light and to provide high quality external lighting for security without adverse effects on public amenity from excessive illumination levels.

46. External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The visible light reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the Construction Certificate for Stage 2 to the satisfaction of the Principal Certifying Authority.

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

47. The development must incorporate a minimum of 41 adaptable dwellings. Plans submitted with the Construction Certificate for Stage 2 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.

48. Access and facilities for people with disabilities must be provided in accordance with the relevant requirements of the Building Code of Australia (for all new building work) and in addition, with the relevant requirements of the 'Disability (Access to Premises – Building) Standards 2010' (including for existing buildings, whether or not any works are proposed). Details of the proposed access, facilities and car parking for people with disabilities are to be included in the plans/specifications for the Construction Certificate.

Reason: To ensure compliance with the requirements of the Building Code of Australia.

49. The Commonwealth Disability Discrimination Act 1992 commenced the 'Disability (Access for Premises – Buildings) Standards 2010' on 1 May 2011 and now applies to all new buildings and affected parts of existing buildings. Submission and/or approval of this application does not imply or confer compliance with either the Act or the new Access Standard. Applicants should satisfy themselves and make their own inquiries to the Human Rights and Equal Opportunity Commission.

Reason: To provide advice on the requirements of the Commonwealth Disability Discrimination Act 1992.

50. The following target hardening strategies shall be undertaken on site to assist in the reduction of crime in the locality:-

- a) CCTV digital cameras shall be installed in and around the premises, particularly at the entry and exit points to assist police to identify offenders of crime.
- b) Warning signs strategically posted in and around the premises to warn intruders of the security measures.
- c) Additional lighting be installed in and around the premises to act as a deterrent for crime. The lighting shall be installed in accordance with the Australian Standards 1158.3 1999.
- d) Design of each building is to ensure that no natural ladders occur whereby an offender could climb the building to gain entry through a balcony.

Suitable details shall be provided for approval by Council or the Accredited Certifier prior to the issue of the Construction Certificate.

Reason: To reduce the incidence of late night crime in the locality and to improve public safety late at night.

51. Plans submitted with the Construction Certificate for Stage 2 shall clearly indicate that all residential floors are provided with a minimum internal floor to ceiling height of 2.7m unless not required by the ADG or where mechanical services are required within the kitchen where the minimum floor to ceiling height shall be 2.4m (excluding the thickness of the floor and ceiling slabs). This condition does not authorise the height of the building to be increased.

Reason: To ensure appropriate opportunities for access to natural light and ventilation are provided.

52. The finishes and materials of the building as approved in Condition 1 of this consent are to be incorporated within the Construction Certificate Plans for Stage 2.

Reason: To ensure the quality of the design finishes is maintained.

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

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

Reason: To ensure building materials are sufficiently non-combustible.

54. The recommendations and requirements of the following reports are to be incorporated within the documentation and design details submitted with the relevant Construction Certificate:

Document Report	Date
Stormwater Management Development Application Report & Appendices (Report No. 17-477-01 Revision 02) prepared by at&I	17.12.2018
Demolition & Construction Management Plan – Issue 1	08.12.2017
DA Noise Impact Assessment (Reference 0171464.1/0311A/R0/JR Revision 1) prepared by Acoustic Logic	03.11.2017
Acid Sulfate Soils Management Plan (Project 85836.02/R.001.Rev0) prepared by Douglas Partners	16.07.2018
Geotechnical Report (Project 85836.00/R.001.Rev1) prepared by Douglas Partners	18.08.2017
Site Waste Minimisation and Management Plan prepared by Homebush Bay Properties	30.09.2017
Waste Management Plan (Rev C) prepared by Elephant's Foot	10.11.2017
Ecologically Sustainable Development Report (Reference: 17-0611 – Issue A) prepared by Efficient Living	04.12.2017
Remediation Action Plan (Project 85836.03.R.001.Rev0.RAP) prepared by Douglas Partners	21.09.2018

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

The Principal Certifying Authority shall be satisfied that the recommendations and requirements have been incorporated into the plans before the issue of a Construction Certificate.

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

55. Documentary evidence to the satisfaction of the Principal 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.

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

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

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

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

58. The applicant is to make a formal submission to Ausgrid by means of a duly completed Connection Application and/or Preliminary Enquiry form to allow Ausgrid to assess any impacts on its infrastructure and determine the electrical supply requirements for the development (e.g. whether a substation is required on site) before the issue of a Construction Certificate.

Note: Any work undertaken near Ausgrid assets needs to be done in accordance with various standards, rules and guidelines including:

- Ausgrid's Network Standards
- Ausgrid's Electrical Safety Rules.

The developer is to ensure that the proposed works do not contravene Ausgrid's Technical Standards and statutory requirements with regards to the safe and reliable operation and maintenance of its network.

Reason: To comply with the requirements of Ausgrid.

59. 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 Principal 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.

60. Council property adjoining the construction site must be fully supported at all times during all demolition, excavation and construction works. Details of any required shoring, propping and anchoring devices adjoining Council property, are to be prepared by a qualified structural or geotechnical engineer. These details must accompany an application for a Construction Certificate and be to the satisfaction of the Principal Certifying Authority. 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.

Prior to Work Commencing:

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

Reason: To comply with legislative requirements.

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

Reason: To ensure public safety.

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

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

Reason: Statutory requirement.

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

Reason: To ensure adequate toilet facilities are provided.

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

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

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

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

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

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

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

66. A Construction Environmental Management System and Plan (CEMP) shall be submitted to, and approved by, Council's Manager DTSU prior to work.

The CEMP must be prepared in accordance with ISO14001:2015 and the Department of Infrastructure, Planning and Natural Resources (2004) '*Guidelines for the Preparation of Environmental Management Plans*' and submitted to the relevant authorities at least 4 weeks prior to the commencement of construction.

This plan should cover demolition, soil and water management and site maintenance and any associated groundwater, flooding and overland stormwater flow management. It must address any possible pollution risks, and how they will be managed. It must incorporate updated erosion and sediment control plans/ stormwater plan showing how rainwater and groundwater captured within the site will be treated to satisfactory water quality standards, monitored and discharged. The plan and management system must be implemented throughout the work.

Reason: Environment protection.

67. 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.

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

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

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

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

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

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

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

- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
- (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.
- (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
- (d) The impact on groundwater levels in relation to the basement structure.
- (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

Where it is considered there is potential for the excavation to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to

transfer groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

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

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

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

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

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

- 71. Details of any pipe-work, pits etc on or connected to Council's drainage line shall be submitted for Council's City Works Unit for approval prior to commencement of any work undertaken on or adjacent to Council's drainage line.

Reason: To ensure adequate stormwater infrastructure is provided.

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

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

73. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:
- (a) all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
 - (b) all site boundaries are to be secured and maintained to prevent unauthorised access to the site;
 - (c) all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
 - (d) the site is to be maintained clear of weeds; and
 - (e) all grassed areas are to be mowed on a monthly basis.
- Reason:** To ensure public safety and maintenance of the amenity of the surrounding environment.
74. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:
- (a) Protect and support the adjoining premises from possible damage from the excavation
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage.
- Note:** If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.
- Reason:** As prescribed under the Environmental Planning and Assessment Regulation 2000.
75. Prior to the commencement of any works on site, the applicant must submit a Construction and Traffic Management Plan to the satisfaction of the Group Manager, Development and Traffic Services. The following matters must be specifically addressed in the Plan:
- (a) Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:
 - (i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
 - (ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
 - (iii) The locations of proposed Work Zones in the egress frontage roadways,
 - (iv) Location of any proposed crane standing areas,
 - (v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
 - (vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
 - (vii) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
 - (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
 - (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
 - (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

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

- (c) Traffic Control Plan(s) for the site:
 - (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
 - (ii) Approval shall be obtained from City of Parramatta Council for any temporary road closures or crane use from public property.
- (d) Where applicable, the plan must address the following:
 - (i) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road,
 - (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
 - (iii) Minimising construction related traffic movements during school peak periods.

The traffic management plan shall incorporate the provision of parking of worker's vehicles on the site during all works where possible.

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.

76. 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.

77. 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.

During Work:

78. The applicant is to engage an NSW EPA accredited site auditor to undertake an independent validation report and site audit statement to address the requirements of section 47(1) (b) of the Contaminated Land Management Act 1997 and confirm that the site is suitable for the proposed residential development. The validation report and site audit statement is to be submitted to Council and the Principal Certifying Authority **on the completion of remediation works and before the commencement of any building works.**

Reason: To ensure the contamination assessment report has adhered to appropriate standards, procedures and guidelines and is confirmed suitable for the land use.

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

Reason: To ensure compliance with this consent.

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

Reason: To ensure pedestrian access.

81. 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.

82. All work (excluding demolition which has separate days and hours outlined elsewhere in this consent), 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 Friday inclusive, and 8:00am to 5:00pm on Saturday. No work is to be carried out on Sunday or public holidays.

Note: Council may allow extended work hours in limited circumstances and upon written application and approval being given by City of Parramatta Council at least 30 days in advance. Such circumstances where extended hours may be permitted include:

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

Reason: To protect the amenity of the area.

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

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

The complaints register must be made available to Council and/or the Principal Certifying Authority upon request.

Reason: To allow the Principal Certifying Authority to ensure complaints are dealt with appropriately.

84. 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.

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

Reason: To ensure maintenance of Council's assets.

86. All trees supplied above a 25L container size must be grown in accordance with AS2303:2015 (Tree stock for landscape use). Certification is to be forwarded to the

Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2015. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

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

87. 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.

88. 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.

89. 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.

90. 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.

91. 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.

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

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

- (a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- (b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines

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

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

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

94. 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.

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

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

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

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

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

Reason: To confirm waste minimisation objectives are met.

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

Reason: To protect the amenity of the area.

99. 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.

100. 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:

- i) The pollution of waters,
- ii) Nuisance to neighbouring properties, or
- iii) Damage/potential damage to neighbouring land and/or property.

For water accumulated within an excavation to be approved for drainage into Council Stormwater systems, the following discharge water quality standards must be met at all

times throughout the construction phase of the development:

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

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

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

Reason: to protect against subsidence, erosion and water pollution during excavation.

Prior to the issue of an Occupation Certificate:

101. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 and 6.10 of the Environmental Planning and Assessment Act 1979.

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

102. 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 Principal Certifying Authority by whom the inspection was carried out; and
- (f) Whether or not the inspection was satisfactory in the opinion of the Principal Certifying Authority who carried it out.

Reason: To comply with statutory requirements.

103. An Occupation Certificate shall not be issued until such time as all infrastructure works, including but not limited to the streets, drainage and infrastructure approved for the Stage 1 works of DA/1041/2017 have been completed and issued with a final Occupation Certificate.

Reason: To ensure the infrastructure is in place for the approved development.

104. Prior to the issue of any Occupation Certificate, vehicular access to the adjoining streets in Verona Drive and Marine Parade shall be provided. In this regard, all adjoining streets and foreshore are to be completed and all required access easements shall be created to the satisfaction of Council.

Reason: To ensure appropriate vehicular and pedestrian access is provided.

105. Prior to the issue of any Occupation Certificate (Interim or Final) the Principal Certifying Authority shall be satisfied that the required validation and audit documentation required

in Condition 78 of this consent has been completed, and submitted to Council, in accordance with the requirements of that condition.

Reason: To ensure the contamination assessment report has adhered to appropriate standards, procedures and guidelines and is confirmed suitable for the land use.

106. A positive covenant/restriction on user shall be registered on the land title requiring the removal of the temporary footpath adjoining the southern boundary of Block D and the replacement of the footpath with suitable pedestrian access and landscaping following the construction of the adjoining park at 6-8 Baywater Road. Details of the replacement access and landscaping are to be submitted to and approved by Council before the works commence.

The required works by this condition must be undertaken in accordance with the approved plans and completed within 12 months of the date of registration of the right of public access (or equivalent) over the adjoining park.

The temporary access shall have a public access easement across the land until such time as the temporary access is removed.

Council shall be the authority to modify, vary or release the above.

Details of the registration of this covenant/restriction is to be submitted to the Principal Certifying Authority before the issue of any Occupation Certificate.

Reason: To enable adequate temporary access to the apartments and confirm the details of the application.

107. A covenant is to be registered on the land title advising of the one (1) car share parking space provided and located within the adjoining street. The covenant is to include provisions that the car share parking space cannot be varied, revoked or modified without prior approval of Council. Details demonstrating compliance with this requirement shall be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Alternatively, in the event that the adjoining streets and foreshore (approved under DA/1041/2017) are subdivided separately to the development block (Block D) before the issue of the Occupation Certificate for the development block (Block D), the covenant may be registered with the Subdivision Certificate and apply to the relevant community lot.

Reason: To provide appropriate access to the car share space on the street.

108. A right of access and easement for Council to facilitate waste and recycling removal, using terms available from Council, must be registered on the land title with NSW Land Registry Services pursuant to Section 88B of the Conveyancing Act 1919.

The easement must entitle Council, its servants and agents and persons authorised by it, to enter upon the subject land and to operate thereon, including vehicles and other equipment, for the purposes of waste and recycling collection.

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

Note: The standard terms of easement can be found at Appendix A8.1 (Appendix B) of the Parramatta Development Control Plan 2011.

Reason: To ensure appropriate access to waste storage room(s) for removal of waste.

109. Prior to the issue of any Occupation Certificate, communal waste facilities and associated vehicle access on the site shall be inspected and approved by Council's Waste Service Team. Written confirmation of the waste facility approval from Council shall be submitted to the Principal Certifying Authority before the issue of any Occupation Certificate.

Reason: To ensure that appropriate waste collection facilities are provided.

110. The Principal Certifying Authority shall be responsible for ensuring the requirements and recommendations of the following reports have been incorporated within the design and construction of the development:

Document Report	Date
Stormwater Management Development Application Report & Appendices (Report No. 17-477-01 Revision 02) prepared by at&I	17.12.2018
Demolition & Construction Management Plan – Issue 1	08.12.2017
DA Noise Impact Assessment (Reference 0171464.1/0311A/R0/JR Revision 1) prepared by Acoustic Logic	03.11.2017
Acid Sulfate Soils Management Plan (Project 85836.02/R.001.Rev0) prepared by Douglas Partners	16.07.2018
Geotechnical Report (Project 85836.00/R.001.Rev1) prepared by Douglas Partners	18.08.2017
Site Waste Minimisation and Management Plan prepared by Homebush Bay Properties	30.09.2017
Waste Management Plan (Rev C) prepared by Elephant's Foot	10.11.2017
Ecologically Sustainable Development Report (Reference: 17-0611 – Issue A) prepared by Efficient Living	04.12.2017
Remediation Action Plan (Project 85836.03.R.001.Rev0.RAP) prepared by Douglas Partners	21.09.2018

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

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

111. Works-As-Executed stormwater plans and certification are to be prepared and submitted to Council for the satisfaction of the Technical Specialist Manager prior to submission for the approval of the Principal Certifying Authority and release of the Occupation Certificate. They must address the following:

- The Work-As-Executed plans are to be prepared on the copies of the approved drainage plans issued with the relevant Construction Certificate with the variations marked in red ink.
- The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- A certificate of compliance must be submitted from a qualified drainage / hydraulic engineer with regard to WSUD performance and compliance with landscape and engineering construction approved requirements.

Reason: To ensure works comply with approved plans.

112. 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.

113. 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.

114. 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. 864257M_03 dated 31.10.2018, will be complied with prior to occupation.

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

115. 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.

116. The submission of documentary evidence from the telecommunications provider authorised under the Telecommunications Act 1997 confirming arrangements have been made for the provision of telephone services prior to the issue of a Subdivision Certificate.

Reason: To ensure appropriate telephone services are provided.

117. Prior to the issue of any Occupation Certificate, the developer is to provide evidence that satisfactory arrangements have been made with the National Broadband Network (NBN) Company where relevant, and implemented at no cost to Council for the provision of broadband access to the development.

Note: For more information contact NBN Co. Development Liaison Team:

Call: 1800 881 816
Email: newdevelopments@nbnco.com.au
Web: www.nbnco.com.au/NewDevelopments.

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

118. 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.

119. Car parking area and internal accessways must be constructed, marked and signposted in accordance with AS2890.1 –2004 ‘Off Street Car Parking Facilities’ prior to an Occupation Certificate being issued.

Reason: To ensure appropriate car parking.

120. 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.

121. 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.

122. 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 DCP 2011 have been met.

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

(a) DA Noise Impact Assessment (Reference 0171464.1/0311A/R0/JR Revision 1)
prepared by Acoustic Logic dated 03.11.2017

Reason: To demonstrate compliance with submitted reports.

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

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

125. 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 Principal Certifying Authority prior to the issue of the Occupation Certificate. In ascertaining whether adverse structural damage has occurred to adjoining buildings/ infrastructure, the Principal Certifying Authority 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.

126. 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.

127. 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 Principal Certifying Authority prior to occupation of the premises.

Reason: To maintain the amenity of the area.

128. A Green Travel Plan is to be submitted to and approved by Council's Group Manager, Development & Traffic Services, prior to the issue of an Occupation Certificate.

The Green Travel Plan will cover the residential uses, promoting non-private vehicle transport for residents, employees and visitors and shall be supported by details of how that Plan will be implemented.

Reason: To discourage trips by private vehicle.

129. A Loading Dock Management Plan is to be prepared for the usage and maintenance of the loading dock on site. The plan shall incorporate the provision for tenants to use the loading dock for removalist vehicles when moving to/from the development.

Reason: To ensure adequate loading is available for residents.

130. Written evidence must be provided with the Occupation Certificate demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service. The Principal Certifying Authority shall ascertain that agreement with a commercial operator is subscribed prior to issue of the Occupation Certificate.

Reason: To comply with Council's parking requirements.

The Use of the Site:

131. 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.

132. 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.

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

134. 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.

135. The loading dock shall be managed at all times in keeping with the requirements of the Loading Dock Management Plan required by this consent.

Reason: To ensure the efficient servicing of the site.

136. No air-conditioning condensers/units are to be located on any of the balconies.

Reason: To ensure the amenity of the units and visual amenity of the building.

137. Any air conditioner unit/plant and equipment must not :
- (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - (i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday;
or
 - (ii) before 7.00am and after 10.00pm on any other day.
 - (b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those specified in (a) above, which exceeds the background (LA90, 15 minute) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

Reason: To prevent loss of amenity to the area.

138. Noise and vibration from the use and operation of any plant and equipment and/or building services associated with the premises shall not give rise to 'offensive noise' as defined by the Protection of the Environment Operations Act 1997.

Reason: To reduce noise levels.

ADVISORY NOTES

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

Ausgrid Requirements

The following advisory comments are Ausgrid requirements, unless otherwise notified in writing by Ausgrid:

(a) Method of Electricity Connection

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

(b) Supply of Electricity

It is recommended for the nominated electrical consultant/contractor to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not:

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

Please direct the developer to Ausgrid's website, www.ausgrid.com.au about how to connect to Ausgrid's network.

(c) Conduit Installation

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

(d) Proximity to Existing Network Assets

Underground Cables

There are existing underground electricity network assets in Hill Rd. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot

guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.

Safework Australia - Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

Substation

There are existing electricity substation assets S3281 that requires removal for the allocation of the proposed buildings onsite.

The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres. Any portion of a building other than a BCA class 10a structure constructed from non combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120. Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a non-ignitable blast resisting barrier.

The development must comply with both the Reference Levels and the precautionary requirements of the Draft Radiation Protection Standard for Exposure Limits to Electric and Magnetic Fields 0 Hz - 3 kHz (ARPANSA, 2006).

For further details on fire segregation requirements refer to Ausgrid's Network Standard 141.

Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid. For further details refer to Ausgrid's Network Standard 143.

Sydney Water Advice

- Sydney Water is planning for water-related services to support growth within the Greater Parramatta and Olympic Peninsula (GPOP) over the next 10 years.
- The proposed development is within our study area and the initial development can be serviced by our existing water and wastewater systems. However, we anticipate that amplifications would be required over the next five years to support growth within the wider GPOP area.

- Sydney Water advises the proponent should submit a staging plan to Sydney Water for any upgrade requirements of the existing networks to service the additional development resulted from the proposal.

This advice is not a formal approval of our servicing requirements. Formal requirements for servicing the development will be determined as part of the Section 73 application. More information about the Section 73 application process is available on our web page in the Land Development Manual.