

## **APPENDIX 2 – Draft Conditions of Consent**

The application is to be determined by the granting of a “deferred commencement” consent under Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*. Upon compliance with all conditions appearing in Schedule 1 and issue of confirmation to that effect in writing from Council, the consent shall be a development consent, inclusive of all conditions appearing in Schedule 2, pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act 1979.

### **SCHEDULE 1**

#### **OVERLAND FLOW**

1. The applicant shall submit to Council, and attain all relevant approvals for, a strategy to manage overland flow stormwater on the site.

If this strategy includes works on another or nearby site(s) which require development consent, that consent shall be secured prior to operational consent.

The strategy shall be submitted to, and approved by, Council's Manager DTSU prior to the issue of Operational Consent.

**Reason:** To ensure the development does not result in unacceptable overland flow impacts on any downstream/down-catchment properties.

#### **EAST WEST ROAD 2**

2. The deferred commencement conditions attached to the approval of East West Road 2 (Parramatta DA Ref: DA/337/2018) shall be satisfied, and that consent made operational, prior to issue of Operational Consent for the subject application.

**Reason:** To ensure appropriate vehicular access and drainage is provided for the subject development.

#### **WHARF ROAD WIDENING**

3. Revised civil drawings, deleting the proposed widening of Wharf Road, are to be prepared. Details demonstrating compliance are to be submitted to, and approved by, Council's Manager DTSU prior to Operational Consent.

**Reason:** To ensure works not included in the application are not approved.

The applicant must provide to the Council appropriate documentary evidence sufficient to enable it to be satisfied of the matters in the above conditions within **24 months**.

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

## **SCHEDULE 2**

### **GENERAL MATTERS**

#### **APPROVED PLANS AND SUPPORTING DOCUMENTATION**

1. The development must be carried out in accordance with the plans and documentation listed below, and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

#### **Architectural Drawings (AJ+C Project No: 16012)**

<b>Plan No.</b>	<b>Issue</b>	<b>Plan Title</b>	<b>Dated</b>
DA2-000	6	COVER SHEET	22/08/18
DA2-001	5	PERSPECTIVE	22/08/18
DA2-002	5	PERSPECTIVES	22/08/18
DA2-003	1	PERSPECTIVES	22/08/18
DA2-100	5	SITE PLAN	22/08/18
DA2-200	8	FLOOR PLAN - BASEMENT 2	22/08/18
DA2-201	8	FLOOR PLAN - BASEMENT 1	22/08/18
DA2-202	8	FLOOR PLAN - LOWER GROUND 2	22/08/18
DA2-203	8	FLOOR PLAN - LOWER GROUND 1	22/08/18
DA2-204	8	FLOOR PLAN - GROUND	22/08/18
DA2-205	8	FLOOR PLAN - LEVELS 1-5	22/08/18
DA2-209	6	FLOOR PLAN - LEVEL 6	22/08/18
DA2-210	6	FLOOR PLAN - LEVEL 7	22/08/18
DA2-211	6	FLOOR PLAN - LEVEL 8	22/08/18
DA2-212	7	FLOOR PLAN - ROOF	22/08/18
DA2-310	7	ELEVATIONS - NORTH AND SOUTH	22/08/18
DA2-311	6	ELEVATIONS - EAST AND WEST	22/08/18
DA2-320	6	SECTIONS SHEET 1	22/08/18
DA2-321	6	SECTIONS SHEET 2	22/08/18
DA2-330	6	PRECEDENT IMAGES & MATERIAL	22/08/18
DA2-350	5	BASIX - NORTH & SOUTH	22/08/18
DA2-351	4	BASIX - EAST & WEST	22/08/18
DA2-352	4	BASIX - INTERNAL ELEVATIONS	22/08/18
DA2-510	5	ADAPTABLE APARTMENT PLANS	22/08/18
DA2-511	5	ADAPTABLE APARTMENT PLANS 2	22/08/18
DA2-910	5	GFA DIAGRAMS 1	22/08/18
DA2-911	5	GFA DIAGRAMS 2	22/08/18
DA2-930	4	LIFT LOBBY 4 ENTRY	22/08/18
DA2-931	4	LIFT LOBBY 1 ENTRY	22/08/18
DA2-932	4	LIFT LOBBY 2 ENTRY	22/08/18
DA2-933	4	COURTYARD DETAIL 1	22/08/18
DA2-934	4	COURTYARD DETAIL 2	22/08/18
DA2-935	4	COURTYARD DETAIL 3	22/08/18
DA2-936	4	COURTYARD DETAIL 4	22/08/18
DA2-937	4	COURTYARD DETAIL 5	22/08/18

Civil Drawings (Northrop Project No: 150077-02-02-DA)

Plan No.	Issue	Plan Title	Dated
C01.01	3	Cover Sheet, Drawing Schedule and Locality Plan	21/08/18
C01.11	3	Specification Notes	21/08/18
C01.31	4	General Arrangement Plan – Proposed Lot AD (VRS Masterplan)	22/08/18
C01.41	4	General Arrangement – Proposed Lot AD (Melrose Masterplan)	22/08/18
C02.01	4	Concept Sediment and Soil Erosion Control Plan	22/08/18
C02.11	3	Sediment and Soil Erosion Control Details	21/08/18
C04.01	3	Typical Sections Sheet 1	21/08/18
C04.02	3	Typical Sections Sheet 2	21/08/18
C04.11	5	Siteworks and Grading Plan Sheet 1	22/08/18
C04.13	4	Siteworks and Grading Plan Sheet 3	21/08/18
C04.14	4	Siteworks and Grading Plan Sheet 4	21/08/18
C04.21	4	Road Alignment Control Plan	22/08/18
C04.31	3	Road Longitudinal Sections – Sheet 1	21/08/18
C04.32	3	Road Longitudinal Sections – Sheet 2	21/08/18
C04.33	3	Road Longitudinal Sections – Sheet 3	21/08/18
C04.34	3	Road Longitudinal Sections – Sheet 4	21/08/18
C04.35	3	Road Longitudinal Sections – Sheet 5	21/08/18
C04.36	3	Road Longitudinal Sections – Sheet 6	21/08/18
C04.37	3	Road Longitudinal Sections – Sheet 7	21/08/18
C04.51	3	Road Cross Sections – Sheet 1	21/08/18
C04.52	3	Road Cross Sections – Sheet 2	21/08/18
C04.53	3	Road Cross Sections – Sheet 3	21/08/18
C04.54	3	Road Cross Sections – Sheet 4	21/08/18
C04.55	3	Road Cross Sections – Sheet 5	21/08/18
C04.56	3	Road Cross Sections – Sheet 6	21/08/18
C04.57	3	Road Cross Sections – Sheet 7	21/08/18
C04.81	3	Kerb Returns – Sheet 1	21/08/18
C04.82	3	Kerb Returns – Sheet 2	21/08/18
C04.83	3	Kerb Returns – Sheet 3	21/08/18
C04.84	3	Kerb Returns – Sheet 4	21/08/18
C06.01	4	Retaining Wall Alignment Plan	21/08/18
C06.11	3	Retaining Wall Sections – Sheet 1	21/08/18
C06.13	2	Retaining Wall Sections – Sheet 3	28/05/18
C07.01	4	Stormwater Drainage Plan – Sheet 1	22/08/18
C07.02	3	Stormwater Drainage Plan – Sheet 2	21/08/18
C07.03	3	Stormwater Drainage Plan – Sheet 3	21/08/18
C07.04	3	Stormwater Drainage Plan – Sheet 4	21/08/18
C07.11	4	Stormwater Longitudinal Sections Sheet 1	21/08/18
C07.12	3	Stormwater Longitudinal Sections Sheet 2	21/08/18
C07.31	4	Stormwater Management Devices - OSD	22/08/18
C07.81	2	1% AEP Contour Plan	22/08/18

Plan No.	Issue	Plan Title	Dated
C07.92	4	Catchment Plan	22/08/18
C08.01	4	Pavement Plan Sheet 1	22/08/18
C08.02	3	Pavement Plan Sheet 2	21/08/18
C08.03	3	Pavement Plan Sheet 3	21/08/18
C08.04	3	Pavement Plan Sheet 4	21/08/18
C08.61	3	Swept Paths Plan – Sheet 1	21/08/18
C08.62	3	Swept Paths Plan – Sheet 2	21/08/18
C08.63	3	Swept Paths Plan – Sheet 3	21/08/18
C08.64	3	Swept Paths Plan – Sheet 4	21/08/18
C08.65	3	Swept Paths Plan – Sheet 5	21/08/18
C10.01	3	Details – Sheet 1	21/08/18
C10.02	3	Details – Sheet 2	21/08/18

### Landscape Drawings (Turf Project No: 1705)

Page No.	Issue	Plan Title	Dated
10	G	General Arrangement Plan – Street, Ground & Level 1	Aug 2018
11	G	Detailed Landscape Plan – Ground & Level 1	Aug 2018
12	G	Detailed Landscape Plan – Lower Ground 2	Aug 2018
13	G	Detailed Landscape Plan – Rooftop Terraces	Aug 2018
14	G	Landscape Sections	Aug 2018
15	G	Landscape Sections	Aug 2018
16	G	Landscape Sections	Aug 2018
17	G	Landscape Sections - Rooftop	Aug 2018
18	G	Typical Details	Aug 2018
19	G	Planting Plan – Level 1 Communal Open Space & Ground Floor	Aug 2018
20	G	Planting Plan – Western Street Level Courtyards	Aug 2018
21	G	Planting Plan – Southern Boundary, Ground Level & Lower Ground 2	Aug 2018
22	G	Planting Plan – Northern Boundary	Aug 2018
23	G	Planting Plan – Rooftop Terraces	Aug 2018
24	G	Planting Schedule – Level 1 & Ground Floor	Aug 2018
25	G	Planting Schedule – Western Street Level Courtyards	Aug 2018
26	G	Planting Schedule – Southern Boundary, Ground Level 1 & Lower Ground 2	Aug 2018
27	G	Planting Schedule – Northern Boundary	Aug 2018
28	G	Planting Schedule – Rooftop Terraces	Aug 2018
29	G	Materials and Finishes	Aug 2018
32	G	Interim Landscape – Landscape Plan	Aug 2018
33	G	Interim Landscape – Site Sections	Aug 2018
34	G	Interim Landscape – Site Sections	Aug 2018
35	G	Interim Landscape – Public Domain Sections	Aug 2018
36	G	Interim Landscape – Public Domain Sections	Aug 2018
37	G	Interim Landscape – Public Domain Sections	Aug 2018
38	G	Interim Landscape – Public Domain Sections	Aug 2018

39	G	Interim Landscape – Public Domain Sections	Aug 2018
40	G	Interim Landscape – Public Domain Sections	Aug 2018
41	G	Interim Landscape – Planting Palette	Aug 2018
42	G	Interim Landscape – Materials and Finishes	Aug 2018
43	G	Public Domain – Public	Aug 2018
44	G	Public Domain – Sections	Aug 2018
45	G	Public Domain – Sections	Aug 2018
46	G	Public Domain – Sections	Aug 2018
47	G	Public Domain – Sections	Aug 2018
48	G	Public Domain – Public Domain Sections	Aug 2018
49	G	Public Domain – Public Domain Sections	Aug 2018
50	G	Public Domain – Planting Palette	Aug 2018
51	G	Public Domain – Typical Details	Aug 2018
52	G	Public Domain – Typical Details	Aug 2018
53	G	Public Domain – Typical Details	Aug 2018
54	G	Public Domain – Typical Details	Aug 2018
55	G	Public Domain – Typical Details	Aug 2018
56	G	Public Domain – Typical Details	Aug 2018
57	G	Materials & Finishes	Aug 2018

### Subdivision Drawings (LTS Project No: 41367 026DT)

Page No.	Issue	Plan Title	Dated
1	B	PLAN SHOWING PROPOSED LOT AD (LOT 11 DP 128907) AT 44 WHARF ROAD, MELROSE PARK	12/12/17

### Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Disability Access Report	J000220	1	Cheung Access Pty Ltd	04/12/17
BASIX Certification	876432M	03	Northrop	29/08/18
BCA Compliance Capability Report	J170567	03	Vic Lilli	01/12/17
Nationwide House Energy Rating Scheme – Class 2 Summary	0003114930	N/A	Northrop	29/08/18
Preliminary Geotechnical Investigation	84381.03	0	Douglas Partners	14/10/14
Remedial Action Plan	N/A	2	Trace Environmental	14/11/16
Site Audit Statement	17075 KJL182_Stages 2-4	N/A	Zoic	29/03/18
Statement of Environmental Effects	N/A	N/A	Keylan	Dec 2017
Stormwater Management Plan	N/A	C	Northrop	May 2018
Structural Design Letter	N/A	N/A	Structural Design Solutions	18/11/16
Traffic Impact Assessment	0529r	V1	Ason Group	08/12/17
Report on Utility Servicing Provisions	150077-08	1	Northrop	29/11/17
Waste Management Plan for Operational Waste	N/A	N/A	The MACK Group	29/11/17

**Note:** In the event of any inconsistency between the architectural drawings and the landscape drawings and/or civil drawings, the architectural plans shall prevail to the extent of the inconsistency.

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

## **DESIGN EXCELLENCE**

2. In order to ensure the design excellence quality of the development is retained:
- (a) The design architect (A J & C) is to have direct involvement in the design documentation, contract documentation and construction stages of the project (including signing off on drawing sets for Modification Applications, Construction Certificates and Occupation Certificates before submission to the certifying authority);
  - (b) The design architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of any design issues throughout the life of the project;
  - (c) Evidence of the design architect's commission is to be provided to the Council prior to release of any Construction Certificate; and
  - (d) The design architect of the project is not to be changed without prior notice and approval of the Council.

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

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

## **CAR PARKING ALLOCATION**

3. Car parking is to be allocated as follows:
- (a) Residential occupants - 234 spaces;
  - (b) Visitors - 35 spaces; and
  - (c) Car Share - 5 spaces

Car share and visitor spaces to be allocated as common property to the Body Corporate and all other spaces allocated to individual strata lots at a rate of no more than 2 spaces per lot.

Total on-site car parking: 274 spaces.

**Reason:** To ensure car parking is allocated to nominated uses within the development generally in accordance with the requirements of Parramatta Development Control Plan 2011.

## **NO ENCROACHMENT ON COUNCIL AND/OR ADJOINING PROPERTY**

4. The development must be constructed within the confines of the property boundary (not including road widening of Wharf Road). 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.

#### **PUBLIC UTILITY RELOCATION**

5. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work, and as required by the various public utility authorities and/or their agents.

**Reason:** To ensure the applicant bears all reasonable costs for the development.

#### **NORTH SOUTH ROAD 4**

6. The developer (or any subsidiary of the developer) shall be responsible for the provision of half of the cost of, and half of the delivery of, Future North South Road (NSR) 4, including all required embellishment works, to the satisfaction of Council, as outlined in the approved civil drawing C01.41-2 by Northrop dated 28/05/18. The road shall be delivered, to the satisfaction of Council, prior to the occupation of any redevelopment of the adjoining site at No. 8 Wharf Road, Melrose Park (Lots 8 & 9 DP111186).

**Reason:** To ensure the applicant bears all reasonable costs for the development.

#### **DEDICATION OF ROADS**

7. Dedication to Council, at no cost to Council, of the road reserves the subject of this application will occur at a time mutually agreeable to the applicant and Council.

All retaining walls and earth batters must remain under private ownership.

All road pavements, kerbs, footpaths, drainage assets, etc. must be in good condition as verified by a Council assets inspector prior to dedication to Council.

**Reason:** To ensure the appropriate management of maintenance of the road.

#### **REDUNDANT RETAINING WALL REMOVAL**

8. Any retaining walls approved or built to support the works hereby approved, which ultimately become redundant subject to future development on adjoining sites, that do not undermine the integrity of the completed works or groundwater flows, shall be removed by the applicant, to an extent to be agreed with Council, at no cost to Council. The applicant will secure approval from Council's Manager DTSU before burying any retaining walls.

**Reason:** To ensure redundant retaining walls do not unnecessarily impact on surface water flow or tree growth.

#### **TREE PROTECTION**

9. Trees equal to or greater than five (5) metres in height, which are protected under City of Parramatta Council Development Control Plan 2011 (Part 5.4 Preservation of Trees or Vegetation), must not be removed or damaged, unless approved by this Consent.

**Reason:** To preserve existing landscape features.

### **TREE PROTECTION**

10. For the avoidance of doubt, this document confers no consent for removal of the two (2) fig trees (*Ficus macrocarpa* var. *hillii*) at 4-6 Wharf Road, Melrose.  
**Reason:** To preserve existing landscape features.

## **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

### General

#### **BUILDING WORK IN COMPLIANCE WITH BCA**

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

#### **NO EXTERNAL SERVICE DUCTS**

12. Service ducts, plumbing installations and plant servicing the development must be concealed within the building to keep external walls and balconies free from service installations. Details are to be included within the plans and documentation accompanying the relevant Construction Certificate(s) to the satisfaction of the Certifying Authority.  
**Reason:** To ensure the quality built form of the development.

#### **EXTERNAL WALLS AND CLADDING FLAMMABILITY**

13. 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(s) and Occupation Certificate the Certifying Authority and 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 appropriate building materials are utilised.

#### **ADAPTABLE DWELLINGS**

14. At least 27 adaptable residential units shall be provided. Plans submitted with the relevant Construction Certificate(s) 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.

#### **LIVEABLE HOUSING**

15. At least 47 of the residential units shall be designed and fit-out to achieve the 'silver level' requirements as set out in the Liveable Housing Design Guidelines Details published by Liveable Housing Australia. Details shall be submitted to

the satisfaction of the certifying authority prior to the issue of the relevant Construction Certificate(s).

**Reason:** To ensure study rooms are not converted to use as bedrooms.

### **HOME WARRANTY INSURANCE**

16. Residential building work, within the meaning of the Home Building Act 1989, must not be carried out unless the Certifying Authority for the development to which the work relates fulfils the following:
- (a) In the case of work to be done by a licensee under the Home Building Act 1989; has been informed in writing of the licensee's name and contractor licence number; and is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989, or
  - (b) In the case of work to be done by any other person; has been informed in writing of the person's name and owner-builder permit number; or has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

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

**Reason:** To comply with the Home Building Act 1989.

### **BASIX COMPLIANCE**

17. Stamped drawings showing all relevant requirements of the BASIX and NatHERS certificates for individual dwellings are to be provided, to the satisfaction of the Certifying Authority, prior to issue of the relevant Construction Certificate(s).

Revised NatHERS certificates are to be submitted to the satisfaction of Council's Manager DTSU prior to the issue of any Construction Certificate for works at ground level or above.

BASIX and NatHERS documents should be consistent with the requirements of BASIX Guide: Certifying Thermal Comfort Version 1.2 01 May 2016.

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

### **RETAINING WALLS**

18. 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.

Any additional retaining walls required through the detailed design and/or construction process shall be subject to separate approval by Council.

The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior to commencement of the works.

Structural details, certified by a practicing structural engineer, shall accompany the relevant application(s) for a Construction Certificate for assessment and approval by the Certifying Authority.

**Reason:** To minimise impact on adjoining properties.

### **PUBLIC ART**

19. A detailed Public Art Plan, prepared by a suitably qualified and experienced public art consultant, in accordance with the City of Parramatta's 'Art in the Public Domain Guidelines' shall be submitted to, and approved by, Council's Manager Development and Traffic Services prior to the issue of any Construction Certificate for works at ground level or above. The Public Art Plan is to include contextual and historical themes and design details of each public art work including concept drawings, scale and context, materials and finishes, timeline showing staging of the artwork and an estimated budget indicated on the approved plans.

**Reason:** To achieve public art which is consistent with Council's guidelines.

### **LOCATION OF PLANT**

20. Prior to the issue of any Construction Certificate, the Certifying Authority must be satisfied that all plant and equipment (including but not limited to air condition equipment) is located within the basement or enclosed roof areas.

**Note:** Architectural plans identifying the location of all plant and equipment must be provided to the Certifying Authority.

**Reason:** To minimise impact on surrounding properties, improved visual appearance and amenity for locality.

### **SINGLE MASTER TV ANTENNA**

21. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed to service the development. A connection is to be provided internally to each dwelling/unit within the development. Details of these connections are to be annotated on the plans and documentation accompanying the relevant Construction Certificate(s) to the satisfaction of the Certifying Authority.

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

### **REFLECTIVITY OF EXTERNAL FINISHES**

22. External materials must be pre-colour coated on manufacture having a low glare and reflectivity finish. The reflectivity index of roof finishes and glazing (excluding any solar PV panels) is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the relevant Construction Certificate(s) to the satisfaction of the Certifying Authority.

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

### **IMPACT ON EXISTING UTILITY INSTALLATIONS**

23. 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 the relevant application(s) for a Construction Certificate to the satisfaction of the Certifying Authority.

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

### **NETWORK CAPACITY AND CONNECTION**

24. Prior to release of any Construction Certificate for any works at or above ground level, the development the applicant must submit and have approved an application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. This assessment is also to consider potential supply of later stages of development of the site. Depending on the outcome of the assessment, any required padmount or indoor / chamber substations will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. See Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

**Reason:** To ensure adequate electricity supply to the development.

### **ENERGY PROVIDER REQUIREMENTS FOR SUBSTATIONS**

25. Documentary evidence to the satisfaction of the Certifying Authority is to accompany the application for any 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.

### **OVERHEAD CABLING**

26. To reduce the extent of overhead cabling, all low voltage distribution and service mains required to facilitate the development must be underground both within the allotment boundaries and the public way. Details must be provided with the plans and documentation accompanying the relevant application(s) for a Construction Certificate to the satisfaction of the Certifying Authority.

**Reason:** To provide infrastructure that facilitates the future improvement of the streetscape.

### **OBSCURE GLAZING FOR ALL BATHROOM & WC WINDOWS**

27. All window openings servicing a bathroom and/or WC within each dwelling must have either frosted or obscure glazing. Details are to be provided on the plans

and documentation accompanying the relevant Construction Certificate(s) application to the satisfaction of the Certifying Authority.

**Reason:** To ensure privacy to these rooms is adequately maintained.

### **ENVIRONMENTAL ENFORCEMENT SERVICE CHARGE**

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

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

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

### **INFRASTRUCTURE & RESTORATION ADMINISTRATION FEE**

29. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of any Construction Certificate.

The fee will be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

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

### **LONG SERVICE LEVY PAYMENT**

30. No Construction Certificate is to be issued unless the Certifying Authority is satisfied the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

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

### **DEVELOPER CONTRIBUTIONS**

31. A monetary contribution comprising \$830,249.30 (being 1% of the stated cost of development at \$83,024,932) is payable to City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the *Parramatta Section 94A Development Contributions Plan (Amendment No. 4)*. Payment must be by EFTPOS, bank cheque or credit card only.

The contribution is to be paid to Council prior to the issue of any Construction Certificate.

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

*Parramatta Section 94A Development Contributions Plan (Amendment No. 4)* can be viewed on Council's website at:

[http://www.parracity.nsw.gov.au/build/forms\\_and\\_planning\\_controls/developer\\_contributions](http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions)

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

## SECURITY BONDS

32. 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/1025/2017;
- (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:

<b>Bond Type</b>
<b>Hoarding</b> - (\$2575 - \$5,150 per street frontage in 2018/2019 financial year)
<b>Street Furniture</b> - (\$2000 per item in 2018/2019 financial year)
<b>Development Sites Bonds and Bank Guarantee</b> - (\$5000 in 2018/2019 financial year)
<b>Street Trees</b> - (\$2000 per street tree 2018/2019 financial year rate)

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 Council with the payment of the bond/s.

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

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

## SEPP 65 VERIFICATION

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

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

**Reason:** To comply with the requirements of SEPP 65.

### **BROADBAND ACCESS**

34. Prior to the issue of any Occupation Certificate, the developer is to provide evidence that satisfactory arrangements have been made with the National Broadband NBN Co have been made 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](mailto:newdevelopments@nbnco.com.au);  
Web: [www.nbnco.com.au/NewDevelopments](http://www.nbnco.com.au/NewDevelopments).

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

### **STORAGE PROVISION**

35. Prior to the issue of the relevant Construction Certificate(s), the basement storage areas will be allocated to the applicable units to the satisfaction of the Principal Certifying Authority. The allocation will be such that each unit has a minimum total secure storage volume (including the storage space within each unit) as follows:

- i) Studio units – 4m<sup>3</sup>
- ii) 1 bedroom units – 6m<sup>3</sup>
- iii) 2 bedroom units – 8m<sup>3</sup>
- iv) 3 bedroom units – 10m<sup>3</sup>

**Reason:** To ensure each unit has sufficient on-site storage capacity.

### **ACCESS AND SERVICES FOR PEOPLE WITH DISABILITIES**

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

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

### **DETAILED DRAWINGS**

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

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

### **COMMUNAL OPEN SPACE ACCESSIBILITY**

38. All the common areas proposed within the site, including rooftop terraces, shall be fully accessible to disabled persons. Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate(s).

**Reason:** To provide equitable access for disabled persons.

### **PLAY EQUIPMENT FOR CHILDREN**

39. Notwithstanding the architectural drawings and landscape drawings hereby approved, an area for children's play equipment shall be incorporated into the ground level communal open space area.

Details demonstrating compliance are to be submitted to and approved by Council's Manager DTSU prior to issue of the relevant Construction Certificate(s).

**Reason:** To provide amenity to future residents in keeping with the recommendations of SEPP 65.

### **ROOFTOP AMENITY**

40. Notwithstanding the architectural drawings and landscape drawings hereby approved, a communal bathroom (with at least an accessible toilet and hand wash basin) shall be incorporated into the level 6 floorplan in close proximity to the rooftop open space.

Details demonstrating compliance are to be submitted to and approved by Council's Manager DTSU prior to issue of the relevant Construction Certificate(s).

**Reason:** To provide amenity to future residents in keeping with the recommendations of SEPP 65.

### **UNIT LAYOUT**

41. Notwithstanding the architectural drawings hereby approved, the following set of studio and 2-bed units shall be combined to form 3+ bed units:

- Lower Ground 1: Unit 3.LG1.7 & Unit 3.LG1.1
- Ground: Unit 3.G.10 & Unit 3.G.1
- Levels 1 – 5 (inclusive): Unit 2.1.1 & Unit 2.1.2
- Levels 1 – 5 (inclusive): Unit 3.1.10 & Unit 3.1.1
- Level 6: Unit 2.6.1 & Unit 2.6.2

For clarity this condition would result in thirteen (13) additional 3-bed units on site and thirteen (13) less studio units and thirteen (13) less 2-bed units.

The living room of the amalgamated units are to be located such that they have an unimpeded outlook of at least 24 metres and are to be fitted, if necessary, with louvers or other privacy devices such that they will not have close or direct views into any other habitable rooms.

The unit references referred to above are as outlined on the approved architectural drawings.

Details demonstrating compliance are to be submitted to and approved by Council's Manager DTSU prior to issue of the relevant Construction Certificate(s).

**Reason:** To provide appropriate outlook for future occupants in keeping with the recommendations of SEPP 65 and to provide an appropriate mix of unit sizes in keeping with the requirements of PDCP 2011.

### **SKYLIGHTS**

42. All skylights shall be fully openable to occupants. Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the relevant Construction Certificate(s).

**Reason:** To ensure adequate cross ventilation is provided.

### **LIFT LOBBY 3**

43. Notwithstanding the architectural drawings hereby approved, the lift lobby 3 entry shall be redesigned to be more clearly legible from, and to address, a street.

Details demonstrating compliance are to be submitted to and approved by Council's Manager DTSU prior to issue of the relevant Construction Certificate(s).

**Reason:** To ensure appropriate wayfinding and safety.

### **WESTERN STREET WALL**

44. Notwithstanding the architectural drawings hereby approved, the western street wall shall be redesigned to include stepped planting to reduce its visual impact on the streetscape.

Details demonstrating compliance are to be submitted to and approved by Council's Manager DTSU prior to issue of the relevant Construction Certificate(s).

**Reason:** To ensure appropriate wayfinding and safety.

## Trees & Landscaping

### **SPECIES REPLACEMENT**

45. Notwithstanding the approved Landscape Drawings, the following proposed species must be replaced:

- (a) Two (2) *Melaleuca linariifolia* (Snow in Summer), located in the Level 1 Communal Open Space adjacent the northern site boundary must be replaced with two (2) x *Angophora costata* (Sydney Red Gum).
- (b) Two (2) *Angophora costata* (Sydney Red Gum), located in the Level 1 Communal Open Space (above podium) must be replaced with two (2) trees from the approved Planting Schedule for Level 1 and Ground Floor, with a mature height of no greater than ten (10 metres).

Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the relevant Construction Certificate(s).

**Reason:** To ensure sustainable planting outcomes for above podium garden

areas.

#### **PLANTING UPON STRUCTURE**

46. The following must be provided with the relevant application(s) for a Construction Certificate to the satisfaction of the Certifying Authority:
- (a) Construction details showing substrate depth, drainage, waterproofing for all planting on structures, including planting over stormwater 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 and maintenance schedule specified by a suitably qualified Soil Scientist, to ensure sufficient nutrient and water availability is achieved which must be specific to the tree species proposed 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.
  - (e) Planter boxes located over stormwater tanks and/or podium slabs are to have a minimum depth of 600mm for the planting of shrubs and/or trees, and a minimum of 300mm depth for turf/groundcovers proposed.
  - (f) Where trees and understorey planting is proposed under building, on slab or any other overhang an automatic irrigation system is to be provided.

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

#### Engineering

#### **CONSENT FROM COUNCIL'S CIVIL INFRASTRUCTURE DEPARTMENT**

47. The final detailed road alignment and levels, earthworks, pavement and drainage design must be submitted to the satisfaction of Council's Service Manager Civil Infrastructure for approval prior to issue of the relevant Construction Certificate(s). No works may commence on any aspect of the road and drainage system to be dedicated to Council until Council's Service Manager, Civil Infrastructure has approved the final construction plans and provided an inspection schedule.

**Reason:** To ensure all future public assets are designed and constructed to Council standards.

#### **PUBLIC INFRASTRUCTURE REQUIRED**

48. The following requirements apply to all assets to be dedicated to Council:
- All surface overland flow paths on roads and paths are to meet with Australian Rainfall and Runoff recommended hydraulic flood hazard (V x D) flow requirements.
  - All stormwater drainage pipes shall be reinforced concrete rubber ring

- jointed spigot and socket type.
- All stormwater pipe classes are to be checked and confirmed to comply with minimum design cover and trafficable loading requirements.
- All stormwater drainage pits are to comply with the following council standard drawing details:
  - Plan No.DS21 – standard kerb inlet pit on grade
  - Plan No.DS24 – grated sag pit
  - Plan No.DS26 – standard junction pit
- All pipe trench backfill requirements to comply with council standard plan No.DS37.
- Hydraulic grade line analysis results must be included on longitudinal drainage sections.
- Applicant to provide Council with an electronic copy of the hydrological and hydraulic drainage design model.
- Stormwater pipes must not be located in the existing or future public road footway areas because of likely conflict with services. In general, such pipes are to be located within the road pavement area beneath or in front of the gutter.

Details demonstrating compliance are to be submitted to the satisfaction of Council's Service Manager, Civil Infrastructure has approved the final construction plans and provided an inspection schedule.

**Reason:** To ensure all future public assets are designed and constructed to Council standards.

#### **BASEMENT CARPARK AND SUBSURFACE DRAINAGE**

49. 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 relevant Construction Certificate(s).

**Reason:** To ensure satisfactory storm water disposal.

### **ON SITE DETENTION**

50. Full engineering construction details of the stormwater system, including OSD structures, pipe networks and calculations as per following points, shall be submitted for the approval of the PCA prior to release of any Construction Certificate:
- (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the civil drawings approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code.
  - (b) A Site Storage Requirement of 190m<sup>3</sup>/ha and a Permissible Site Discharge of 280 L/s/ha (when using 3rd edition of UPRCT's handbook).
  - (c) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris.
  - (d) Ventilation measures such as vent stacks must be installed in the OSD tank within the garage to ensure adequate cross ventilation within the tank.
  - (e) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

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

### **WATER TREATMENT FOR STORMWATER**

51. A 20KL rainwater tank, 21m<sup>2</sup> of bio-retention rain gardens and 5x stormwater360 (or similar) cartridge filter water quality treatment devices must be installed to manage surface runoff water from the site to satisfy section 3.3.6.1 of City of Parramatta Council Development Control Plan 2011. Details of the proposed devices and their location shall be submitted for the approval of the PCA prior to release of any Construction Certificate.

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

### **CONSTRUCTION STAGE DEWATERING**

52. Under the Water Act 2000 the proponent must obtain a dewatering licence for construction phase groundwater extraction. This should extend only for the duration of excavation and no dewatering should occur after the tanked (waterproofed) basement construction has been completed.

**Reason:** Aquifer management.

### **GEOTECHNICAL INVESTIGATION**

53. A detailed, site-specific geotechnical investigation must be undertaken to the satisfaction of the Principle Certifying Authority prior to the release of any Construction Certificate. The geotechnical report must address, but is not limited to, the following:

- i. A detailed soil/ structure interaction analysis must be undertaken to assess magnitudes of lateral ground movement and possible impacts on adjacent properties and services.

- ii. Calculations of expected groundwater inflow into the excavation cavity must be conducted, considering the high groundwater table present on site within clayey soils. The detailed excavation design must propose techniques such as diaphragm walls, secant pile walls or cut soil mixing to minimise groundwater ingress into the excavation cavity.
- iii. Site stability must be investigated, considering the fracture zones with clay infill present along joints in the Shale core.
- iv. Appropriate locations must be ascertained for the installation of survey monitoring points around the perimeter of the site to monitor surface movement where structures or buried services may be at risk of vibration damage.
- v. The impact of excavation and construction of the proposed basement car parks on groundwater levels.
- vi. The drawdown effects on groundwater resulting from the basement excavation and the impacts of this on nearby foundations, services, assets, structures and ecosystems. Appropriate construction methods must be proposed to control groundwater.
- vii. The effect of the development on any gas or seepage control system from the historic landfill area on the site.

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.

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 high level of protection to adjacent properties and structures both during and after construction.

**Reason:** Protection of private structures, public assets and the environment.

#### **AMENDED STORMWATER PLANS**

54. The final stormwater plans submitted to the PCA for approval prior to issue of the relevant Construction Certificate(s) must show the following amendments:
  - i) The proposed 'Nominal 1200mm diameter pipeline to drain future Victoria Road widening works' must EITHER be removed from the plans, OR a precinct-wide drainage and overland flow strategy and plans must be submitted to Council's satisfaction, to demonstrate the functionality of the pipeline as part of a larger system. Additionally, written concurrence from RMS would be required to support the proposed stormwater system to drain Victoria Road.
  - ii) The outlet pipeline from the site is a private pipeline and as such may not drain beneath the public road EWR-2. Instead, it must drain across the public footway to a public kerb inlet pit which must be proposed

within the Northern kerb of EWR-2. This kerb inlet pit must then be connected to the proposed public drainage network.

**Reason:** Stormwater management.

#### **SUPPORT FOR COUNCIL ROADS, FOOTPATH, DRAINAGE RESERVE**

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

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

**Reason:** To protect Council's infrastructure.

#### **STORMWATER DISPOSAL**

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

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

#### **FLOOD BARRIERS**

57. Notwithstanding the drawings and reports hereby approved, no mechanical flood barriers are to be installed within the buildings.

**Reason:** To ensure fallible devices are not relied upon for flood protection.

#### **CONSTRUCTION ADJACENT TO DRAINAGE EASEMENT/PIPES**

58. Foundations adjacent to a drainage easement/pipes are to be constructed in accordance with Council's Code "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements – Parramatta City Council Code E-3". Engineering details demonstrating compliance must be submitted to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate(s).

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

### **Traffic & Transport**

#### **CARPARK DESIGN**

59. The PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details demonstrating compliance must be submitted to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate(s).

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

### **PARKING SPACES TO BE PROVIDED**

60. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6. Details demonstrating compliance must be submitted to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate(s).

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

### **PEDESTRIAN SAFETY**

61. A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site. The splays shall not be compromised by the landscaping, signage fences, walls or display materials. Details demonstrating compliance must be submitted to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate(s).

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

### **CONSTRUCTION OF A HEAVY DUTY VEHICULAR CROSSING**

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

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

### **BICYCLE STORAGE & PARKING**

63. The bicycle storage areas within the site must be capable of accommodating a minimum of 117 bicycles with fixed bicycle rails. The bicycle storage areas and bicycle rail must be designed to meet the requirements of AS 2890.3 (2015). Details of compliance with this standard are to accompany the relevant Construction Certificate application(s) to the satisfaction of the Certifying Authority.

**Reason:** To promote and provide facilities for alternative forms of transport.

### **ACCESSIBLE CAR PARKING**

64. 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 the BCA, AS2890.6: 'Parking facilities', 'Off-street parking for people with disabilities', AS1428.1: 'Design for access and mobility', 'General requirements for access - New building work' 2001 and 2009, and AS1428.4: 'Design for access and mobility', 'Tactile ground surface indicators for orientation of people with vision impairment', 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009. Details of compliance are to accompany the relevant Construction Certificate application(s) to the satisfaction of the Certifying Authority.

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

### **VISITOR PARKING**

65. Each basement visitor car parking space is to be signposted. Details of compliance are to accompany the relevant Construction Certificate application(s) to the satisfaction of the Certifying Authority.

**Reason:** To comply with Australian Standards.

### **GROUND CLEARANCE FOR RAMPS**

66. Ground Clearance Template as shown in Appendix C of AS 2890.1-2004 must be used to check that adequate ground clearance is provided on ramps, circulation roadways, access driveways or other vehicular paths where there is a grade change or an irregularity in the vertical alignment e.g. a hump, dip or gutter. Details are to be illustrated on plans submitted with the relevant Construction Certificate(s) to the satisfaction of Certifying Authority.

**Reason:** To comply with Australian Standards.

### **DRIVEWAY SAFETY**

67. A convex mirrors is to be installed near the curves of access ramps with its height and location adjusted to allow drivers a full view of the driveway in order to see if another vehicle is coming through. Details are to be illustrated on plans submitted with the relevant Construction Certificate(s) to the satisfaction of Certifying Authority.

**Reason:** To ensure safety of drivers.

## Environmental Health

### **APPOINT WASTE CONTRACTOR**

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

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

### **PROVISION OF WASTE STORAGE ROOM**

69. A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) 2011 including:
- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
  - (b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
  - (c) The walls being cement rendered to a smooth, even surface and coved at all intersections;

- (d) Cold water being provided in the room with the outlet located in a position so that it cannot be damaged and a hose fitted with a nozzle being connected to the outlet;
- (e) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate(s).

**Reason:** To ensure provision of adequate waste storage arrangements

#### **SITE INVESTIGATION & SITE AUDIT STATEMENT**

70. Prior to the issue of any Construction Certificate, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. The soil investigation shall be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites and the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007.

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

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

#### **NOISE FROM ROADS**

71. Prior to the issue of the Construction Certificate for any works at ground level or above, the Certifying Authority must be satisfied the building has been acoustically designed and capable of being constructed to meet the requirements of:
- (a) AS3671-1989 (Acoustics – Road Traffic Noise Intrusion - Building Siting and Construction), and
  - (b) AS 2107-2000 (Recommended design sound levels and Reverberation times in Building interiors); and
  - (c) The NSW EPA Road Noise Policy.

Certification is to be provided by a practising acoustic engineer certifying the construction plans have been prepared to satisfy the above criteria.

**Reason:** To ensure a suitable level of residential amenity.

#### **COLLECTION AND DISCHARGE OF DIRTY WATER FROM CAR WASH BAY**

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

**Reason:** To ensure satisfactory storm water disposal.

### **WASTE AND RECYCLING STORAGE FACILITIES**

73. Waste and recycling storage facilities are to be provided in each residential unit. Details of the unit waste storage areas are to be provided to the satisfaction of the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate(s).

**Reason:** To ensure adequate storage for refuse.

### **GARBAGE CHUTES**

74. 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. Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate(s).

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

### Public Domain

#### **PUBLIC DOMAIN CONSTRUCTION DRAWINGS**

75. Prior to the issue of the Construction Certificate for any construction work relating to the ground floor, including slab pour, public domain works or any other above ground structure, a set of detailed **Public Domain Construction Drawings** must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The drawings shall address any areas to be publicly accessible.

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

- The latest City of Parramatta Public Domain Guidelines (PDG);
- The approved Civil Drawings,
- The agreed road layout and
- All the conditions listed in this consent.

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

#### **FOOTWAY SPECIFICATIONS**

76. Notwithstanding the approved Civil Drawings, the Public Domain Alignment Drawings and Public Domain Landscape Drawings, the following requirements shall be included in the Public Domain Construction Drawings (unless otherwise agreed by Council's Manager DTSU):

#### Footpath

The pedestrian footpath shall comply with the following requirements:

- The standard concrete paving, as per the PDG, shall be applied to the entire public domain footpath areas.
- A minimum width of 1800mm is required.
- The footpaths must achieve a cross fall of 1% - 2.5% maximum.
- The footpath set out and details must comply with Council's design

standard detail (DS3). A copy of the Standard Detail Drawings can be obtained from Council's Customer Service department on 9806 5050, Mon – Fri (8:30am-4:30pm).

- The footpaths should positively drain away from the property boundary/building line
- Localised flattening of public footpath at building doorways and property entries is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Council. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.

Detailed design spot levels and designed contour lines are required.

#### Kerb Ramps

Kerb ramps must be designed and located in accordance with Council's design standards (DS4). Ramps are to be aimed to the ramp on the opposite side of the road.

A kerb ramp shall be provided to EWR-1 from the northern terminus of the western footway of NSR-4.

#### Vehicle Crossing

Council's standard vehicle crossing is to be provided. Refer Council's design standard (DS 8/9 as applicable).

#### Tactile Indicators (TGSIs)

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

TGSI's must comply as follows.

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

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

Council continues to develop uniform design approach(s) to delineating a clear path of travel past complex built forms at the footway level. Options could include, but not be limited to, change in pavement colour, textures and or other visual aids etc. that meet DDA requirements. Final design solutions to suit the project are to be proposed by the applicant for consideration and inclusion in the Public Domain Construction Drawings prior to issuing of CC approval.

#### Sealant

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

### Non-slip surface

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

### Street Furniture

Street furniture selection and detail shall be to Council's requirements where the furniture is located in publicly owned land. Street furniture in the public domain must comply with the latest version of Council's Public Domain Guidelines.

### Lighting

Endeavour Energy steel poles and LED lighting to streets (including to the interim configuration of NSR-4).

### Steps

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

- Equal height risers of 150-165mm, and equal width treads of 275-300mm.
- Level landing areas shall be provided at the top and base of steps.
- The first riser to be at least 900mm from the property boundary
- Opaque risers
- Compliant contrast nosings for full stair width
- Non-slip surfaces in wet and dry conditions

### Handrails

Handrails must comply as follows:

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

### Ramps

Ramps must comply as follows:

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

Preference is to achieve ramps which do not require handrails (i.e. make them flatter than 1:20).

### Multi-media conduit

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

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

**Reason:** To comply with the Public Domain Guidelines.

### **ROAD RESERVE DIMENSIONS**

77. Notwithstanding the approved civil drawings, road reserves for roads surrounding superlot AD, namely **NSR 3** on western side and **NSR 4** on eastern side, must be as follows (unless otherwise agreed by Council's Manager DTSU):

#### NSR-3 or Waratah Street (section between EWR-1 and EWR-2 only)

The public road reserve for NSR-3 under the VRS site is approved for a total width of **22 m**. The NSR-3 which is part of the VRS should consist of, but not limited to:

- i) 5.2 m wide clear line of footway on both sides at public private interface (1.8 m concrete footpath and 3.4 m wide landscaped verge with trees planted in deep soil, that will reach a mature height of 15m or more);
- ii) 2.5m wide at grade, but separated from carriageway, bike paths each way.
- iii) No car parking lanes; and
- iv) 3.3m wide road carriageway each way.

#### NSR-4 (section between EWR-1 and EWR-2 only) Final Configuration

The public road reserve for NSR-4 under the VRS site is approved for a total width of **16.4 m**. The NSR-4 which is part of the VRS should consist of, but not limited to:

- v) 3.85 m wide clear line of footway on both sides at public private interface (1.8 m concrete footpath and 2.05 m wide landscaped verge with trees planted in deep soil, that will reach a mature height of 12-15m or more);
- vi) 2.3m wide car parking lane on one side (the development side); and
- vii) 3.2m wide road carriageway each way.

#### NSR-4 (section between EWR-1 and EWR-2 only) Interim Configuration

1.8m wide footpath, 2.05 m wide verge and street tree planting, on the western side of the NSR-4 corridor.

**Final cross sections to be confirmed with Council's Urban Design and Transport planning teams** prior to preparation of Public Domain Construction Drawings.

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

**Reason:** To ensure high quality public roads and amenities are provided.

## **STREET TREE SPECIFICATIONS**

78. Notwithstanding the approved civil and landscape drawings, the required street tree species, quantities and supply stocks are to be consistent with an approved street tree strategy for the wider precinct as agreed between Council and the applicant. Street tree locations to be as per approved public domain drawings.

Street trees are to be minimum 200L size and average 8m centres.

All trees 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 prior to use.

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

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

Trees and all planted areas must be provided with the required soil volumes and depths in accordance with the Public Domain Guidelines (refer Table 5.1). Calculations demonstrating soil volume compliance are to be included in the Public Domain Construction Drawings. Soil depth calculations are to exclude any drainage layers.

A structural pavement system is required around proposed street trees *in paved areas* in the footway and publicly accessible pedestrian areas to mitigate against soil compaction, maximising aeration and porosity in the tree root zone. Suitable systems include suspended concrete slabs or structural cells such as strata cells. Tree grates may be required depending on the detailed design of the selected pavement structure system.

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

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

**Reason:** To ensure high quality street trees are provided.

## **OUTDOOR LIGHTING**

79. 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 must be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate(s).

**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.

## **RMS**

### **VEHICULAR CROSSINGS**

80. Sight distances from the proposed vehicular crossings to vehicles are to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890. Vegetation and proposed landscaping must not hinder sight lines to and from the vehicular crossings to pedestrians, cyclists, and general traffic. Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate(s).

**Reason:** To comply with the requirements of the NWS Roads and Maritime Services.

## **PRIOR TO WORK COMMENCING**

### **General**

#### **APPOINTMENT OF PCA**

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

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

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

#### **CONSTRUCTION CERTIFICATE**

82. Prior to commencement of any construction works associated with the approved development (including excavation), 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.

#### **ENCLOSURE OF THE SITE**

83. 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.

#### **SITE SIGN**

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

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

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

This condition does not apply where works are being carried.

**Reason:** Statutory requirement.

#### **TOILET FACILITIES ON SITE**

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

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

#### **PUBLIC LIABILITY INSURANCE**

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

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

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

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

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

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

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

## **DILAPIDATION SURVEY & REPORT FOR PRIVATE PROPERTIES**

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

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

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

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

**Reason:** Management of records.

## **SURVEY REPORT**

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

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

## **SYDNEY WATER TAP IN**

89. The approved plans must be submitted to the Sydney Water [Tap in™](#) online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

*The Sydney Water [Tap in™](#) online self-service replaces our Quick Check Agents as of 30 November 2015.*

The [Tap in™](#) service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information

- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's [Tap in™](https://www.sydneypwater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm) online service is available at:  
<https://www.sydneypwater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

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

### **DIAL BEFORE YOU DIG SERVICE**

90. 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. The person/s having the benefit of this consent are required to forward written confirmation that NDBYD have been contacted to their Principal Certifying Authority (PCA) prior to any excavation occurring.

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

### Trees & Landscaping

#### **PROTECTIVE FENCING**

91. Retained trees or treed areas must be fenced with a 1.8 metre high chainwire link or welded mesh fence. The fence is to be fully supported at grade, to minimise the disturbance of existing ground conditions within the canopy drip line or the setback nominated on the approved landscaping plan. The fencing is to be in place for the duration of the construction works. "Tree Protection Zone" signage must be attached to the protective fencing.

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

#### **PRUNING/WORKS ON TREES**

92. 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.

#### **TREE PROTECTION DURING CONSTRUCTION**

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

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

### Engineering

#### **GRATED DRAIN AT GARAGE**

94. An appropriately sized grated drain, incorporating a heavy duty removable galvanised grate is to be located within the driveway at the lowest point to collect

all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system via the main site outlet.

**Reason:** Stormwater control.

### **REINFORCED CONCRETE PIPE WORK**

95. Details of the proposed reinforced concrete pipe-work within NSR-3 shall be submitted for Council's City Works Unit approval prior to commencement of any work.

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

### **SHORING AND ADEQUACY OF ADJOINING PROPERTY**

96. 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.

## **Traffic & Transport**

### **CONSTRUCTION AND TRAFFIC MANAGEMENT PLAN**

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

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

contractors.

- (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.  
Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Works Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.
- (c) Traffic Control Plan(s) for the site:
  - (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
  - (ii) Approval shall be obtained from 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 RTA concurrence where construction access is provided directly or within 20 m of an Arterial Road,
  - (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
  - (iii) Minimising construction related traffic movements during school peak periods,
- (e) Community Consultation with all owners/occupiers located within 100m of a boundary of the site.

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

Council officers will liaise with City of Ryde Council officers in determining the acceptability of the Plan.

**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.

## Environmental Health

### **NOISE MANAGEMENT PLAN – CONSTRUCTION SITES**

98. A noise management plan must be submitted to Council for approval prior to any work commencing and complied with during any construction works. The plan must be prepared by a suitably qualified person, who possesses

qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

The plan must include, but not be limited to the following:

- (a) Identify sensitive location near the site;
- (b) Identify potential impacts (i.e. exceedance of the goals at the identified locations);
- (c) Mitigation measures to control noise and dust from the site, the noise reduction likely and the feasibility and reasonableness of these measures;
- (d) Selection criteria for plant and equipment;
- (e) Community Consultation with all owners/occupiers located within 100m of a boundary of the site.
- (f) Details of work schedules for all construction phases;
- (g) Selection of traffic routes to minimise residential noise intrusion;
- (h) Schedule of plant and equipment use and maintenance programs;
- (i) Noise monitoring techniques and method of reporting results;
- (j) The methodology to be employed for handling and investigating any complaints should they arise;
- (k) Site induction details for employees and contractors; and
- (l) A declaration of available technologies and the reason for the selection of the preferred technology from a noise generating perspective should be included.

Council officers will liaise with City of Ryde Council officers in determining the acceptability of the Plan.

**Reason:** To maintain appropriate amenity to nearby occupants.

#### **WASTE MANAGEMENT PLAN – DEMOLITION AND CONSTRUCTION**

99. A Waste Management Plan for the Construction Stages, covering the scope of this project and including the following details, is required to be submitted to Council for approval prior to commencement of works:
- a) An estimate of the types and volumes of waste and recyclables to be generated;
  - b) A site plan showing sorting and storage areas for demolition and construction waste and the vehicle access to these areas;
  - c) How excavation, demolition and construction waste materials will be reused or recycled and where residual wastes will be disposed;
  - d) The total percentage (by weight) of demolition and construction waste that will be reused or recycled.

Council officers will liaise with City of Ryde Council officers in determining the acceptability of the Plan.

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

#### Public Domain

##### **ROAD DESIGN – LOCAL**

100. For the road network approved by this application that will become Council's asset upon dedication, prior to works commencing, the developer must submit a Pavement Design report to Council's Service Manager Civil Infrastructure for approval.

The report must include the proposed pavement structure, discussion of each element of the pavement design system shown in Figure 2.1 of Austroads' Pavement Design Guide (project reliability, construction and maintenance considerations, environment, subgrade evaluation, pavement materials and design traffic), all background data (e.g. traffic surveys and studies, geotechnical investigation, field and laboratory testing etc.), assumptions and calculations in the design process and nominated construction specifications.

For road pavements the design standards are:

- Specification 0042 (published by NATSPEC); and
- Austroads' Guide to Pavement Technology Part 2: Pavement Structural Design

For road pavements the construction standards are:

- If design traffic is less than  $10^5$  ESA – AUS SPEC specifications (published by NATSPEC)
  - 1141 – Flexible Pavements
  - 1143 – Sprayed bituminous surfacing
  - 1144 – Asphaltic concrete (Roadways)
  - Other AUS SPEC specifications for the work not covered by above specifications
- If design traffic is equal or higher than  $10^5$  ESA – RMS Specifications
  - 3051 – Granular Base And Subbase Materials For Surfaced Road Pavements
  - R71 – Unbound and modified pavement course
  - R73 – Construction of plant mixed heavily bound pavement course
  - R83 – Concrete pavement base
  - R106 – Sprayed bituminous surfacing (with cutback bitumen)
  - R107 – Sprayed bituminous surfacing (with polymer modified bitumen)
  - R111 – Sprayed bituminous surfacing (with bitumen emulsion)
  - R116 – Heavy duty dense graded asphalt
  - Other relevant RMS specifications for material and roadworks not covered by above specifications

**Reason:** To ensure future Council assets are constructed in accordance with Council standards.

## Archaeology

### **HISTORICAL ARCHAEOLOGICAL ASSESSMENT**

101. The Applicant shall engage a suitably qualified historical archaeologist to undertake a detailed historical archaeological assessment of the site. This assessment must assess the potential for and significance of any historical archaeological relics and the impact of the proposed development activity on these relics, if identified. The Assessment shall comply with Heritage Council of

NSW guidelines including but not limited to *Assessing Significance for Historical Archaeological sites and Relics 2009* and *Archaeological Assessments 1996*. Details demonstrating compliance are to be submitted to the satisfaction of the PCA prior to any works.

**Reason:** To ensure the proposal does not have an unacceptable impact on any items of archaeological significance.

#### **S140 APPROVAL**

102. In the event the Historical Archaeological Assessment identifies the proposal will impact archaeological relics, the Applicant will need to obtain an approved s140 application under the *Heritage Act 1977* prior to any ground disturbing activities commencing. This application will need to clearly outline what mitigation measures are proposed to avoid harm to any significant deposits.

**Reason:** To ensure the proposal complies with the relevant requirements of the Heritage Act 1977.

### RMS

#### **RMS - ROAD OCCUPANCY LICENSE**

103. A Road Occupancy Licence must be obtained from Transport Management Centre prior to any works that may impact on traffic flows on Victoria Road during construction activities.

**Reason:** To comply with the requirements of the NWS Roads and Maritime Services.

#### **WORK ZONE RESTRICTION**

104. Construction works zone will not be permitted on Victoria Road or Wharf Road.

**Reason:** To comply with the requirements of the NWS Roads and Maritime Services.

### **DURING WORK**

#### General

#### **COPY OF DEVELOPMENT CONSENT**

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

**Reason:** To ensure compliance with this consent.

#### **HOURS OF WORK AND NOISE**

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

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

## **COMPLAINTS REGISTER**

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

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

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

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

## **SITE MAINTENANCE**

108. 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.

## **RECORD OF INSPECTIONS CARRIED OUT**

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

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

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

#### **DAMAGE TO PUBLIC INFRASTRUCTURE**

110. 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.

#### Trees & Landscaping

##### **MATERIAL STORAGE AND TREES**

111. No materials (including waste and soil), equipment, structures or goods of any type are to be stored, kept or placed within 5m of the trunk of a tree or within the drip line of any tree.

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

##### **NO ATTACHMENTS TO TREES**

112. No service, structure, conduit or the like is permitted to be fixed or attached to any tree.

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

##### **TREES WITH ADEQUATE ROOT VOLUME**

113. 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.

#### Engineering

##### **BASEMENT TANKING**

114. The perimeter walls and floor of the basement shall be constructed using a "Tank Construction" method, to prevent any flood and ground waters seeping through the basement walls and floor base. 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 and water quality and structural stability.

**Reason:** Protection of the environment and public health.

##### **MATERIALS ON DRAINAGE LINE**

115. 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.

## Traffic & Transport

### **DRIVEWAY CROSSING APPLICATION**

116. 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).

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

### **SPECIAL PERMITS**

117. 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.

### **MATERIALS ON FOOTPATH**

118. 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.

#### **ROAD OPENING PERMITS INVOLVING DRAINAGE WORK**

119. The applicant must apply for a road-opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas). No drainage work can be carried out within the Council owned land without this permit being issued. A copy is required to be kept on site.

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

#### **OCCUPATION OF ANY PART OF FOOTPATH/ROAD**

120. 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.

#### **OVERSIZE VEHICLES USING LOCAL ROADS**

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

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

### Environmental Health

#### **SOIL MANAGEMENT**

122. Prior to the commencement of construction, a construction phase soil and water management plan must be prepared to the satisfaction of the Principal Certifying Authority. This plan must address, but is not limited to, the Applicant's proposed management strategies for the following issues:

*a) Flood proofing*

During construction of the basement, the full site must be flood-proofed to prevent ingress of floodwaters for at least the 1 in 100-year ARI overland flooding event plus 500mm freeboard. This is to be done by provision of continuous perimeter bunding to the flood planning level, including crests on temporary access ways and stormwater lines. Construction of the bunding and access way crests is to be sufficiently durable so as to withstand the forces of floodwaters and construction activity.

*b) Stormwater management*

All stormwater incident on the construction site must be collected and appropriately disposed of in a manner that does not increase the flood risk for the catchment area or degrade the quality of water being disposed of to Council stormwater infrastructure.

*c) Construction material pollution protection*

During construction, any stockpiled materials and/or construction waste stored onsite is to be isolated from stormwater flow to Council stormwater systems and natural waterways, in order that it not become a pollutant. This is to be achieved with provision of continuous perimeter bunding around waste storage areas, constructed to be of sufficient height and durability to withstand site-specific stormwater conditions and construction activity for the life-cycle of the construction project.

*d) Erosion and sediment control measures*

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 devices are to include, but not be limited to:

- i) Vehicle Wheel wash, cattle grid, wheel shaker or other appropriate device to remove sediment from vehicle wheels.
- ii) A sediment trapping fence, made of a geotechnical textile specifically designed for such a purpose and installed and maintained to manufacturer's specifications, placed below the disturbed area of the construction site along contours.
- iii) Vegetation is to be maintained on the development site as much as possible, and shall not be cleared from neighboring sites.
- iv) Vehicle access shall be restricted to one designated point, and vehicle driveways are to be adequately covered at all times with blue metal or the like.

All devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary.

*e) Environmental due diligence*

In order to remain compliant with the POEO Act (1997), environmental due diligence must be demonstrated to have been exercised throughout the construction process. To this end, an external, regular environmental management and monitoring system must be proposed, to ensure the integrity of pollution control measures.

*f) De-watering of the excavation cavity*

Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property.

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 with a 'WETSEP' system or equivalent, to hold and treat water prior to discharge.

Full plant and equipment details, an operational and monitoring plan and evidence of ability to achieve the required performance must be presented in the final plan submitted to the Principal Certifying Authority prior to works commencing.

**Reason:** For the protection of the environment and health.

### **REMEDIATION CONTACT DETAILS**

- 123. 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.

### **CONTAMINATION – ADDITIONAL INFORMATION**

- 124. 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.

### **REMEDIATION WORKS**

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

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

### **GROUNDWATER ANALYSIS**

- 126. 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.

### **FILL QUALITY**

- 127. Any fill material imported to the site is to be certified as such by a suitably qualified industry professional. Records of each individual certification are to be

kept on site and produced for inspection when requested.

Any excavated material from within the site that is to be used as fill is to be certified as appropriately suitable by an appropriately qualified environmental consultant against the NSW EPA approved criteria for the proposed end use under a road.

The structural integrity of all fill is to be certified by an appropriate certified engineer.

**Reason:** To ensure the site does not become contaminated and appropriate compaction levels can be achieved.

#### **HANDLED AND DISPOSED OF BY LICENSED FACILITY**

128. All friable and non-friable asbestos-containing waste on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2005 and the EPA publication 'Waste Classification Guidelines - 2008' and any other regulatory instrument as amended.

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

#### **DISPOSAL OF MATERIAL AT LICENSED LANDFILL**

129. 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.

#### **WASTE DATA MAINTAINED**

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

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

#### **HAZARDOUS/INTRACTABLE WASTE**

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

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

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

### **LIQUID AND SOLID WASTES**

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

**Reason:** To prevent pollution of the environment.

### **DUST CONTROL**

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

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

### **EROSION & SEDIMENT CONTROL MEASURES**

134. 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.

### **NOISE**

135. Noise emissions and vibration must be minimised, work is to be carried out in accordance with the NSW Department of Environment, Climate Change and Water's Interim Noise Construction Guidelines 2009 for noise emissions from demolition, excavation and construction activities.

Vibration levels resulting from demolition and excavation activities must not exceed 5mm/sec peak particle velocity (PPV) when measured at the footing of any nearby building.

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

### Public Domain

#### **PUBLIC DOMAIN WORKS INSPECTIONS**

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

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

The required inspections include the followings:

- Commencement of public domain works including tree protection measures installed and set out of tree pits;

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

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

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

#### **NOMINATION OF ENGINEERING WORKS SUPERVISOR**

137. 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.

### **PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE / SUBDIVISION CERTIFICATE / USE COMMENCING**

#### General

#### **OCCUPATION CERTIFICATE**

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

**Reason:** To complying with legislative requirements of the Environmental

Planning and Assessment Act 1979.

### **RIGHT OF WAY**

139. An easement for public right of way and public drainage, in favour of the City of Parramatta Council, is to be included on the title for all public domain areas, to the satisfaction of Council, prior to the issue of an Occupation Certificate.

The public drainage easement over the existing Council pipeline to be relocated must be extinguished prior to the issue of an Occupation Certificate.

These instruments must be created under an 88B application to Council and registered with NSW Land Registry Services before any Occupation Certificate may be issued for this site.

**Reason:** To manage drainage and access during the interim period before the road and associated drainage assets are dedicated to Council.

### **SECTION 73 CERTIFICATE**

140. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water.

It is recommended that applicants apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

Application must be made through an authorised Water Servicing Coordinator. For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

If you require any further information, please contact Lulu Huang of Growth Planning and Development on [urbangrowth@sydneywater.com.au](mailto:urbangrowth@sydneywater.com.au).

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

### **SEPP 65 VERIFICATION STATEMENT OC STAGE**

141. 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.

### **PUBLIC ART**

142. The artworks must be installed in accordance with the approved arts plan. Final documentation including details of fabrication and installation of art work including a maintenance schedule must be submitted and approved by Council

and Artwork completed in full and installed to the satisfaction of Council prior to the issue of any Occupation Certificate.

**Reason:** To comply with Development control requirements and ensure the appropriate implementation of the approved public art plan.

### **STREET NUMBERING**

143. An application for street numbering must be lodged with Council for approval, prior to the issue of an Occupation Certificate or Subdivision Certificate whichever occurs first.

The developer must provide Council with a schedule of individual unit/street numbers as displayed within the development for identification purposes.

The numbering sequence must be in accordance with the street numbering approval letter issued by Council.

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.

### **STREET NUMBER WHEN SITE READILY VISIBLE LOCATION**

144. A street numbers are to be placed on each building 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.

### **BASIX COMPLIANCE**

145. 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. 876432M\_03, will be complied with prior to occupation.

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

### **TELECOMMUNICATIONS SERVICES**

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

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

### **PROVISION OF ENDEAVOUR ENERGY SERVICES**

147. 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.

### **THE RELEASE OF BOND(S)**

148. 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.

**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.

### **ADAPTABLE DWELLINGS**

149. Certification must be provided prior to the issue of an Occupation Certificate that the required adaptable dwellings 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.

### **LIVEABLE HOUSING**

150. Confirmation that 20% of the units comply with the Liveable Housing Guidelines Silver Level design feature is to be prepared by a suitably qualified consultant and submitted to the Certifying Authority prior to the issue of an Occupation Certificate.

**Reason:** To ensure that the development provides accessible dwelling options for future occupants.

### **CERTIFICATION – FIRE SAFETY**

151. 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.

### **REQUEST FOR A SUBDIVISION CERTIFICATE**

152. A separate application must be made for a strata subdivision certificate. The application is to be accompanied by a final Occupation Certificate.

**Reason:** To comply with the requirements of the Environmental Planning and Assessment Act 1979 (as amended).

### **POST-CONSTRUCTION DILAPIDATION REPORT**

153. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to and approved by the Principal Certifying Authority (PCA) prior to issue of occupation certificate. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

- (a) compare the post-construction dilapidation report with the pre-construction dilapidation report, and

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

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

## Trees & Landscaping

### **TREE PLANTING CONTAINER SIZE**

154. 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.

### **COMPLETION OF PRIVATE LANDSCAPING**

155. 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 landscaping is completed in accordance with the approved plans and maintained.

### **COMPLETION OF INTERIM LANDSCAPING**

156. The batters and all interim landscape scenarios hereby approved shall be appropriately landscaped with grasses and/or shrubs prior to issue of an Occupation Certificate.

**Reason:** To ensure safe and high quality public amenities are provided.

## Engineering

### **OSD POSITIVE COVENANT/RESTRICTION**

157. Prior to issue of the Subdivision Certificate, the applicant must create a Positive Covenant and Restriction on the Use of Land prepared in accordance with Section 88E of the Conveyancing Act 1919, burdening the owner of the allotment with the requirement to maintain the on-site stormwater detention facilities.

The terms of the instruments are to be to Council's satisfaction and are to be generally in accordance with Council's 'draft terms of Section 88B instrument for protection of on-site detention facilities'.

Where a title already exists, the Positive Covenant and the Restriction on the use of Land is to be created via an application to the Land Titles Office using forms 13PC and 13RPA.

The relative location of the On-Site Detention facility as it relates to the building footprint must be shown to scale in plan form or a works as executed plan if the

work is completed is required to accompany 13PC and 13RPA forms. Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to the issue of any Occupation Certificate.

**Reason:** To ensure appropriate documentation is in place.

### **CONSTRUCTION OF A CONCRETE FOOTPATH**

158. Proof of completion of footpath construction work to all frontages of the development site shall be submitted to the satisfaction of Council prior to release of the Occupation Certificate.

**Reason:** To provide pedestrian passage.

### **WORK-AS-EXECUTED PLAN**

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

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

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

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

### **OSD POSITIVE COVENANT/RESTRICTION**

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

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

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

Registered title documents showing the covenants and restrictions must be

submitted to and approved by the Principal Certifying Authority prior to Occupation or use of on-site.

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

#### **WSUD POSITIVE COVENANT AND RESTRICTION**

161. Prior to issue of an Occupation Certificate, the applicant must create a Positive Covenant and Restriction on the Use of Land, prepared in accordance with Section 88B of the Conveyancing Act 1919, burdening the owner of the allotment with the requirement to maintain the on-site rainwater harvesting, bio-retention and water quality treatment facilities. This must be accompanied by a maintenance schedule, to be registered on title.

The terms of the instruments are to be to Council's satisfaction, and based on Council's standard wording for 88E instruments.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principle Certifying Authority prior to the issue of a Subdivision Certificate.

**Reason:** To ensure that appropriate protective instruments are put in place for the water quality management system.

#### Traffic & Transport

##### **EAST WEST ROAD 2 DELIVERY**

162. Prior to the issue of any Occupation Certificate the portion of the proposed road directly to the south of the site (subject to separate consent under DA/337/2018) shall be completed and operational. For the avoidance of doubt, the section of the adjoining road road from its NSR-3 intersection to its connection to Wharf Road must be provided prior to release of the Occupation Certificate.

**Reason:** To ensure vehicular access is provided to the site.

##### **INTERCOM**

163. Prior to the issue of any Occupation Certificate an intercom system must be provided in a convenient location adjacent to the visitor parking entry.

**Reason:** To ensure convenient access is available for visitors to the building.

##### **CAR SHARE**

164. The Applicant shall provide written evidence to Council's DTSU Manager, prior to release of the final Occupation Certificate, demonstrating that all of the approved car share spaces have been offered to all car share providers operating in the greater Sydney area together with the outcome of the offers or a letter of commitment to the service if an operator has not been secured.

Any car share space(s) are to be provided within the basement. The car share space(s) shall be accessible to the public at all times. A right of way shall be registered on the title to this effect prior to issue of the Occupation Certificate.

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

## Environmental Health

### **WASTE STORAGE ROOMS**

165. Adequate ventilation to the waste storage room shall be provided in accordance with the requirements of the Building Code of Australia. Certification that the system functions in accordance with Australian Standard AS 1668 is to be provided to the certifying authority prior to occupation of the premises.

**Reason:** To ensure appropriate waste storage facilities are provided for future occupants.

### **COMPOSTING**

166. Space and facilities for composting accessible to all residents shall be provided to the satisfaction of the Principal Certifying Authority, prior to the issue of an Occupation Certificate. The facility and scheme shall be maintained by the Body Corporate in accordance with the NSW Department of Environment and Conservation Environmental Guidelines: 'Composting and Related Organics Processing Facilities 2005'.

**Reason:** To provide residents of urban housing access to composting facilities for organic waste disposal.

## Public Domain

### **PUBLIC DOMAIN WORKS-AS-EXECUTED**

167. Prior to **any issue** of the Occupation Certificate (including a Preliminary OC), the works outlined in the approved Public Domain Construction Drawings must be completed to Council's satisfaction with a **final approval** obtained from Council's Assets & Environment Manager.

For the avoidance of doubt, only the interim configuration of NSR-4, outlined above, shall be completed, to the satisfaction of Council, prior to issue of an Occupation Certificate.

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

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

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

## Archaeology

### **HERITAGE ACT COMPLIANCE**

168. Prior to issue of an Occupation Certification the applicant shall supply a copy of written correspondence from the Heritage Council of NSW confirming that their

requirements under any *Heritage Act 1977* approval have been satisfied.

**Reason:** To ensure the proposal complies with the relevant requirements of the Heritage Act 1977.

## **OPERATIONAL MATTERS**

### General

#### **GRAFFITI MANAGEMENT**

169. 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.

### Trees & Landscaping

#### **MAINTENANCE OF PRIVATE PLANTING**

170. 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.

### Traffic & Transport

#### **ROLLER SHUTTER DOOR INTERCOME IS INSTALLED**

171. The roller shutter door to be provided at the driveway entry and exit is to be operated via remote control. If an intercom is installed, it is to be provided at the centre of the driveway (not attached on the wall) to the carpark in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.

**Reason:** To comply with Australian Standards.

#### **CAR SHARE**

172. If a car share provider accepts the applicant's offer of 1 or more car share spaces, the car share space(s) shall be provided to the preferred operator on the site for as long as the car share operator would like to occupy the space or as otherwise agreed by Council's DTSU Manager.

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

### Environmental Health

#### **WASTE STORAGE VISIBILITY**

173. 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.

### **SEPARATE WASTE BINS**

174. Separate waste bins are to be provided on site for landfill and 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.

### **PUTRESCIBLE WASTE**

175. 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.

### **MAINTENANCE OF WASTE STORAGE AREAS**

176. All waste storage areas are to be maintained in a clean and tidy condition at all times.  
**Reason:** To ensure the ongoing management of waste storage areas.

### **WASTE STORAGE**

177. Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.  
**Reason:** To ensure waste is adequately stored within the premises.

### **NOISE FROM MECHANICAL EQUIPMENT**

178. 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.

### **AIR CONDITIONERS IN RESIDENTIAL BUILDINGS**

179. The air conditioner/s must not:
- a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
    - before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
    - 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.

### Public Domain

### **MAINTENANCE**

180. Maintenance of the road reserves and public areas (including all street trees), to the satisfaction of Council, will be the responsibility of the applicant until such time as they are formally dedicated to Council. Any street trees that die during this time shall be replaced by the applicant at no cost to Council.

**Reason:** To ensure the road is maintained in an appropriate way.

RMS

**FORWARD DIRECTION**

181. All vehicles are to enter and exit the site in a forward direction and are to be wholly contained on site before being required to stop.

**Reason:** To comply with the requirements of the NWS Roads and Maritime Services.