

## **“Appendix 1” to SCCPP Assessment Report - DA/46/2018**

### **DRAFT CONDITIONS OF CONSENT**

Upon the signature of the applicable delegate the conditions in this Appendix will form the conditions of development consent.

**Development Consent No.:** DA/46/2018  
**Property Address:** Lot 2 DP 1234735, Lot 3 DP 1234735, Lot 4 DP 1234735

#### **General Matters**

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

<b>Drawing No.</b>	<b>Prepared By</b>	<b>Dated</b>
Cover Sheet & Drawing List DA-A-6-0040-B 00	JPW	19-12-17
Site Plan DA-A-6-0060-B 00	JPW	19-12-17
Precinct Plan Basement Level 5 DA-A-6-0501-B 00	JPW	19-12-17
Precinct Plan Basement Level 4 DA-A-6-0502-B 00	JPW	19-12-17
Precinct Plan Basement Level 3 DA-A-6-0503-B 00	JPW	19-12-17
Precinct Plan Basement Level 2 DA-A-6-0504-B 00	JPW	19-12-17
Precinct Plan Basement level 1 DA-A-6-0505-B 00	JPW	19-12-17
Precinct Plan Lower Ground Floor DA-A-6-0510-B 00	JPW	19-12-17
Basement Level B5 DA-A-6-1001-B 00	JPW	19-12-17
Basement Level B4 DA-A-6-1002-B 00	JPW	19-12-17
Basement Level B3 DA-A-6-1003-B 00	JPW	19-12-17
Basement Level B2 DA-A-6-1004-B 00	JPW	19-12-17
Basement Level B1 DA-A-6-1005-B 00	JPW	19-12-17
Basement Level B1 DA-A-6-1010-B 00	JPW	20-12-17
Basement Section DA-A-6-3000-B 00	JPW	19-12-17
Integrated shoring & excavation plan	AFS Bachy Soletanche	10-10-17
Cover Sheet C-6-1000	BG&E	19-12-17
General Notes C-6-1001	BG&E	19-12-17
General Arrangements Plan C-6-1010	BG&E	19-12-17
Road Alignment Control Plan C-6-2001	BG&E	19-12-17

Darcy Street Longitudinal Section C-6-3001	BG&E	19-12-17
Darcy Street Cross Section Sheet 1 C-6-3051	BG&E	19-12-17
Darcy Street Cross Section Sheet 2 C-6-3052	BG&E	19-12-17
Roadworks and Drainage Plan C-6-4001	BG&E	19-12-17
Parramatta Square Precinct Catchment Plan C-6-4101	BG&E	19-12-17
Concept Erosion and Sediment Control Plan C-6-7001	BG&E	19-12-17
Erosion and Sediment Control Details C-6-7005	BG&E	19-12-17

Document	Prepared By	Dated
Statement of Environmental Effects	Walker Corporation	20-12-17
Accessibility Design Review, job no. 70521	McKenzie Group	19-12-17
Building Code of Australia Report, ref. no. 074639-02BCA, rev. B	McKenzie Group	8-12-17
Civil Infrastructure Report, doc. No. S17294-RPT-C-001, rev. A	BG&E	19-12-17
Construction Management Plan, version: 04 DA Submission	CPB Contractors	December 2017
Crime Prevention Through Environmental Design Assessment 6-8 Parramatta Square, doc.ref. PS105463-SEC-REP-CPTED, rev. 003	WSP	14-12-17
Existing Infrastructure Services Report, proj. no, SYD1509100, rev. 5	WSP	20-10-15
Flood Risk Assessment Report, doc. no. S17294-REP-F-0001, rev. 0	BG&E	19-12-17
Geotechnical Report, proj. 84771.05, rev. 1	Douglas Partners	3-10-17
Noise and Vibration Impact Assessment, doc. ref. 2271242-171213-TK-6-8 PARRAMATTA, rev. 3	WSP	13-12-2017
Waste Management Plan, rev. C	Elephants Foot	18-12-2017
Overarching Remedial Action Plan, doc. 50746/100723, rev. 0	JBS&G	5-6-2015
Structural Engineering Report, rev. 2	WSP	13-12-17
Traffic Impact Assessment, rev. c	WSP	19-12-17
Traffic Memorandum for RFI	ARUP	12-6-18
Traffic Memorandum for RFI	ARUP	6-7-18

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

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

#### **PUBLIC DOMAIN**

2. In order to maintain a suitable public domain presentation pending future additional development on this site, the following actions are required within 3 months of the issue of the Occupation Certificate for the basement level parking areas, unless work commences on an approved building above the basement carpark:
  - A. The applicant shall lodge with Council a landscape plan, prepared by a suitably qualified person, which nominates a temporary landscape treatment for the whole of the site. The scope of that treatment, including finished levels, shall be determined in consultation with Council's Urban Design Team;
  - B. All works for the temporary landscape treatment shall be completed within 3 months of Council confirming its approval of the plans required by 'A' above; and
  - C. The temporary landscape treatment shall remain in place, and be maintained, until the issue of the first Construction Certificate associated with any development application for the construction of a building above the basement car park.

#### **STANDARD**

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

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

4. Prior to commencement of any construction works associated with the approved development, 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 and that all Construction certificates may be issued in a manner that allows the carrying out of the development to be staged over time whilst ensuring the requirements of the development are met for each stage.

#### EXTERNAL AUTHORITIES

5. The development must be completed in accordance with the operational conditions included as 'Attachment A' to the concurrence issued by Sydney Trains dated 22 June 2018, a copy of which is attached with this Notice.

**Reason:** As per the requirements of Sydney Trains.

6. The development must be completed in accordance with the conditions included as 'Attachment B' to the concurrence issued by Roads & Maritime Services (RMS) dated 17 July 2018, a copy of which is attached with this Notice.

**Reason:** As per the requirements of Roads & Maritime Services.

7. The development must be completed in accordance with the conditions included as 'Attachment C' to the concurrence issued by Transport for NSW (TfNSW) dated 13 July 2018, a copy of which is attached with this Notice.

**Reason:** As per the requirements of Transport for NSW.

#### PARRAMATTA LIGHT RAIL

8. Due to the location of the proposed development and location of Parramatta Light Rail (PLR) on Macquarie Street, the proponent shall consult with TfNSW through the PLR team and Sydney Coordination Office (SCO) regarding the proposed works.

**Reason:** As per the requirements of Roads and Maritime Services.

#### HEALTH (CONTAMINATION)

9. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of SafeWork NSW and the EPA, and with the provisions of:
  - (a) Work Health and Safety Act 2011
  - (b) NSW Protection of the Environment Operations Act 1997 (NSW) and
  - (c) NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

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

10. Following demolition activities, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for 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.

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

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

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

#### **SUBDIVISION**

17. No approval is given for subdivision of the site (other than amalgamation). A separate development application is required for such works.

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

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

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

#### **ENGINEERING**

18. Prior to the issue of any Construction Certificate the applicant shall prepare a Structural Impact Monitoring Strategy, which is to be submitted to Council for approval. The Strategy shall:

- a. Be formulated with regard to the following requirements:
  - No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
  - No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
  - No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
  - Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
  - Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
  - An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table CI of AS 2870 - 1996.
- b. Be endorsed by both a suitably qualified independent structural engineer experienced in heritage conservation **and** a suitably qualified independent heritage architect.

The development shall then be undertaken in accordance with the Strategy approved by Council for the purposes of this condition.

Should damage to any building be identified all works must cease, and notification must be provided to the PCA and Council.

Works must not re-commence without the prior approval of Council.

19. Where it is intended to rely upon rock anchors the applicant shall:
- a. In relation to land owned by Council, the applicant must enter into an Access Licence. The general terms and conditions will be as per Council's standard agreement, however note:
    - a) A dilapidation report will be required;
    - b) A Bank Guarantee in the amount of \$20,000.00 is required
    - c) The payment of legal fees for the preparation of the Access Deed;
    - d) Rock Anchor Fees; and
    - e) At completion, the applicant's registered engineer must certify that all anchors have been de-stressed and de-commissioned appropriately.
  - b. In relation to privately owned land, the applicant must gain written approval of all relevant land owners.
20. The recommendations outlined in the DA Noise and Vibration Impact Assessment Report prepared by WSP dated 12 December 2017 shall be incorporated into the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

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

#### **FEES & CHARGES**

21. A monetary contribution comprising **\$795,390.10** is payable to the City of Parramatta Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta City Centre Civic Improvement Plan (Amendment No. 4). Payment must be by EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a construction certificate. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. Parramatta City Centre Civic Improvement Plan (Amendment No. 4) can be viewed on Council's website at:  
[http://www.parracity.nsw.gov.au/build/forms\\_and\\_planning\\_controls/developer\\_contributions](http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions)

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

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

22. An *Environmental Enforcement Service Charge* is to be paid to Council prior to the issue of a Construction Certificate. The fee paid is to 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.

23. An *Infrastructure and Restoration Administration Fee* is to be paid to Council prior to the issue of a Construction Certificate. The fee to be paid is to 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.

24. The Construction Certificate is not to be released unless the Principal Certifying Authority is satisfied that 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.

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

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/46/2018;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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



Bonds shall be provided as follows:

Bond Type	Amount
Hoarding - (see Schedule of Fees and charges)	\$10,000
Street Furniture -	N/A
Development sites bond	\$20,000
Street Trees	N/A

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

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 safeguard 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.

#### STANDARD

26. Prior to the issue of any Construction Certificate the applicant must submit details of a hoarding plan for the site to the Manager, of Development & Traffic Services for approval. The strategy shall take account of the strategic importance of the site as part of the overall Parramatta Square development precinct, providing details of finishes, graphics, way finding and other techniques to improve the appearance of the site.

The Hoarding Plan must:

- i. Hoardings showing the types of hoardings or fencing proposed for the site boundaries. The plan must comply with the Council's Hoarding Policy and drawn to a draftsman standard, to a suitable scale, detailing cross-sections, site plan, hoarding locations, footpath widths, utility services, trees, traffic lights and other detail as required by this policy. The plan must indicate the proposed types of hoarding
- ii. An application to erect a Hoarding, as required by Section 68 of the Local Government Act, is to be made on the prescribed form and accompanied by a fee as adopted by Council in its fees and charges schedule. The application form is to include all details necessary to enable Council to assess the application in conjunction with this Policy.
- iii. Applications for Hoardings are to be accompanied with design intent statements prepared by a structural engineer having regard to the minimum specifications below and the WorkCover Code Of Practice for Overhead Protective Structures. This design intent statement confirms to Council that the structure has been appropriately designed and documented to meet the appropriate standards and statutes. The sample

form "Design for the Erection of Hoardings" enclosed in this policy can be used.

- iv. For large scale developments across the whole of the Parramatta local government area and for any development within the Parramatta CBD, the applicant must include elements of current Parramatta Council Branding
- Fascia must be provided with a complete and coordinated graphic design which includes elements of the current Parramatta Council Branding brand.
  - The current Parramatta Council Branding elements must be located on the main street frontage of the site, and the fascia must also include the project/consultant information in one location.
  - An element of public art is to be included in the graphic design of the construction hoardings.
  - The plan must include required safety signage, builder and developer contact details.
  - Materials and finishes of the graphics must be of a high quality.

Other provisions

- (a) All graphics for all surfaces are to be submitted for the consent of Council
- (b) The current Parramatta Council brand graphics will be provided by Council.  
However, inclusion of these into the overall graphic design and production of this is the responsibility of the applicant.
- (c) In approving graphic proposals, Council accepts none of the copyright responsibilities of the applicant.

**Reason:** To improve the visual impact of the hoarding structure in this strategically important location.

27. Prior to the commencement of any works on site, the applicant must submit a Construction Environmental Management Plan to the satisfaction of the Principal Certifying Authority. The following matters must be specifically addressed in the Plan:

- (a) An overall construction management program;
- (b) Construction traffic management;
- (c) Construction zones;
- (d) Pedestrian management;
- (e) Hoardings;
- (f) Dust management;
- (g) Hours of work;
- (h) Noise and vibration management measures;
- (i) Dilapidation reports;
- (j) Identification and disposal of hazardous materials/demolition materials;
- (k) Materials handling, waste management and recycling;
- (l) Disposal of excavated materials;
- (m) Unexpected archaeological finds; and

- (n) Specific matters nominated within the consent notice.

**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.

#### **UTILITIES**

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

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

29. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifying Authority which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required, prior to the release of the Construction Certificate.

**Reason:** To minimise costs to Council

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

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

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

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

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

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

33. Electricity provision to the site is to be designed so that it can be connected underground when the street supply is relocated underground. Certification from the energy infrastructure authority addressing their requirements for this provision is to be provided to the Principal Certifying Authority prior to the issuing of any Construction Certificate.

**Reason:** To enable future upgrading of electricity services.

#### **ENGINEERING**

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

- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
- (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
  - (i) The permissible site discharge (PSD) rate; or
  - (ii) The rate of inflow for the one hour, 5 year ARI storm event.
- (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- (d) A 100 mm freeboard to all parking spaces.
- (e) Submission of full hydraulic details and pump manufacturers specifications.
- (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

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

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

35. 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 Construction Certificate.

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

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

**Reason:** To ensure the structure can withstand flooding impacts.

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

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

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

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

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

39. Where appropriate, foundations adjacent to the existing drainage pipes adjoining the site in Church Street and Darcy Street (former), must be constructed in accordance with Council's Code, "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements". Details must accompany an application for a Construction Certificate.

**Reason:** To ensure structural stability of the stormwater pipe.

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

**Reason:** To ensure an effective site flood emergency response plan is put in place.

41. Details of the two top tier slabs in and beneath the public domain are to be submitted for the approval of Council's Team Leader Technical Specialists prior to issue of a Construction Certificate for this part of the work. Details are to include support for public domain installations, soil depths and drainage etc, drainage of

the slab surfaces, waterproofing of the lower tier slab, arrangements for services and access to them, paving, support for water features and the like, support of vehicle trafficked areas – especially for heavy vehicles and plant.

**Reason** Adequate infrastructure

42. A comprehensive construction phase soil and water management plan must be prepared for the concurrent excavations and below ground construction at PS 3, 4, 5, 6 and 8. This plan must consider how these sites will be managed as a whole, effectively treating them as a single development during the excavation stage. It must focus on the protection of environment, existing infrastructure and human safety by addressing the following issues:
- i) Bunding must be provided to the Flood Planning Level around the excavation site and all equipment and materials storage areas. The flood planning level for this site must be set at the 1% AEP overland flooding level, plus a 500mm freeboard, as overland flooding is the critical inundation mode in this case.
  - ii) Detailed plans of water quality treatment for construction phase excavation cavity dewatering. The location of any proprietary treatment and pumping devices onsite must be indicated on the consolidated excavation plan, as well as calculations demonstrating expected compliance with the water quality parameters outlined in Council's DCP 2011.
  - iii) All stormwater incident on the construction site must be collected and appropriately disposed of in a manner that does not increase the flood risk for the catchment area or degrade the quality of water being disposed of to Council stormwater infrastructure. The proposed methods of collection, treatment and disposal for the entire excavation must be shown on the integrated plan and detailed in the report.
  - iv) Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to include, but not be limited to:
    - a. Vehicle Wheel wash, cattle grid, wheel shaker or other appropriate device to remove sediment from vehicle wheels.
    - b. 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.
    - c. The sediment control fences and other installations must not obstruct pedestrian movement in the locality or vehicle access to adjoining properties.
    - d. Vehicle access shall be restricted to a minimum number of locations, and vehicle driveways are to be adequately covered at all times with blue metal or the like.

- e. The protection of all stormwater collection pits in the vicinity of the works.
- f. The protection of all stockpiled construction waste and materials.

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

- v) Full plant and equipment details, including the location of any proposed access ramps, cranes, site entry points etc.
- vi) An operational and monitoring plan.

The precinct wide construction phase soil and water management plan must be submitted to the satisfaction of the Principle Certifying Authority prior to the issue of a Construction Certificate.

**Reason:** Environmental protection.

43. 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. This must be provided using a diaphragm wall and membrane and not through permanent draining of the basement structure.

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.

#### **CPTED**

44. Prior to the issue of the relevant construction certificate, all relevant CPTED recommendations within report *Crime Prevention Through Environmental Design Assessment 6-8 Parramatta Square*, ref. no. PS105463-SEC-REP-CPTEDM, rev. 003, compiled by WSP, must be demonstrated on plans submitted for construction certificate approval, to the satisfaction of the Principal Certifying Authority.

**Reason:** To ensure CPTED design outcomes.

#### **ACCESSIBILITY**

45. Prior to the issue of the relevant construction certificate, all relevant recommendations within report *Accessibility Design Review 6 & 8 Parramatta Square, Parramatta NSW 2150*, job. no. 70521, compiled by McKenzie Group, must be demonstrated on plans submitted for construction certificate approval, to the satisfaction of the Principal Certifying Authority.

**Reason:** To ensure accessibility design outcomes.

## **TRAFFIC & PARKING**

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

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

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

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

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

48. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 to prevent the underside of the vehicles scraping. Where the geometric change in grade exceeds 18%, the gradients of the driveway and ramps shall be checked using the method at Appendix C in AS2890.1:2004 and adjustments will be made to accommodate suitable transition lengths. Details are to be provided with the application for a Construction Certificate.

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

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

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

50. 671 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.

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

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



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

52. 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.

**Reason:** To comply with Australian Standards

53. A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted, after consultation and endorsement of SCO and PLR, to Council for approval prior to the issue of a Construction Certificate.

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 provision of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
  - (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
  - (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Works Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject

to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

(c) Traffic Control Plan(s) for the site:

- (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.
- (ii) Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.

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

- (i) Evidence of RMS concurrence where construction access is provided directly or within 20 m of an Arterial Road,
- (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
- (iii) Minimising construction related traffic movements during school peak periods.

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

**Reason:** To ensure that appropriate traffic control measures are implemented to maintain environmental amenity and to ensure the ongoing safety and protection of people.

#### **HERITAGE INTERPRETATION**

Prior to the issue of any Construction Certificate:

54. The **Draft Heritage Interpretation Strategy** will be submitted to the City of Parramatta Council to evaluate and approve. The Strategy must:

- Recommend how the tangible and intangible significance of the site will be accessibly interpreted for the diverse public audiences & show how it is integrated through the building design, across the site and complementing neighbouring sites (and their interpretation plans);
- Address Aboriginal, historical archaeological, cultural and built heritage to effectively communicate the significant themes of the site and in ways that compel, attract and engage diverse audiences;

- Be developed in collaboration with architects, designers, archaeologists and key community stakeholders (including Darug, Aboriginal and multicultural communities); and
- Document all interpretive installations and devices to be accommodated within the approved project, supported by an explanation as to how the Strategy has guided and informed the nominated installations and devices.

The **Final Heritage Interpretation Strategy** will be submitted to the City of Parramatta Council to evaluate and approve.

The **Heritage Interpretation Plan** will be submitted to the City of Parramatta Council to evaluate and approve.

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

**Note:** The submission of the Draft Interpretation Strategy, Final Interpretation Strategy and Heritage Interpretation Plan can be deferred to prior to the issue of any occupation certificate for the subject development application, only with the written consent of the City of Parramatta Council; to allow for holistic Draft Interpretation Strategies, Final Interpretation Strategies and Heritage Interpretation Plans to be developed for the 6 & 8 development site.

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

#### **OTHER**

55. The Construction Certificate will not be issued over any part of the site requiring an authorisation for an aquifer interference activity (construction dewatering) until a copy of the authorisation has been provided to the PCA and Council.

The applicant must apply NSW Department of Primary Industries – Water (DPI Water) for an authorisation before the commencement of any work or activity that requires the extraction of groundwater.

**Reason:** As per the requirements of DPI Water.

56. Where any form of mechanical ventilation equipment or other noise generating plant is proposed as part of the development, prior to the issue of the Construction Certificate, the Certifying Authority, shall be satisfied that the operation on an individual piece of equipment or operation of equipment in combination will not exceed more than 5db (A) above the background level during the day when measured at the site's boundaries and shall not exceed the background level at night (10.00pm – 6.00am) when measured at the boundary of the site.

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

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

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

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

58. In order to maximise visibility in the basement carpark, the ceiling shall be painted white. This requirement shall be reflected on the Construction Certificate plans.

**Reason:** To protect public safety.

## **Prior to Work Commencing**

### **TRAFFIC & PARKING**

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

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

floatage and a copy of this route is to be made available to all contractors.

- (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

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

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

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

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

60. A Pedestrian Management and Safety Plan must be submitted to the satisfaction of the Principal Certifying Authority prior to the commencement of any works on site. It must include details of the:
- a) Proposed ingress and egress of vehicles to and from the construction site
  - b) Proposed protection of pedestrians adjacent to the site
  - c) Proposed pedestrian management whilst vehicles are entering and leaving the site
  - d) Proposed route of construction vehicles to and from the site
  - e) Proposed measures to protect workers and pedestrians from overhead hazards.

The Management Plan shall be implemented during all phases of the development until the Occupation Certificate is issued.

**Reason:** To maintain pedestrian and vehicular safety during construction.

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

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

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

#### **ENGINEERING**

62. 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.

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

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

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

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

The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydrogeological engineer with demonstrated experience in such investigations and reporting. It is the responsibility of the engaged geotechnical specialist to undertake the appropriate investigations, reporting and specialist recommendations to ensure a reasonable level of protection to adjacent properties and structures both

during and after construction. The report must contain site specific geotechnical recommendations and must specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:

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

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

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

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

65. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:

- (a) all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
- (b) all site boundaries are to be secured and maintained to prevent unauthorised access to the site;
- (c) all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
- (d) the site is to be maintained clear of weeds; and
- (e) all grassed areas are to be mowed on a monthly basis.

**Reason:** To ensure public safety and maintenance of the amenity of the surrounding environment.



66. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

**Note:** If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

**Reason:** As prescribed under the Environmental Planning and Assessment Regulation 2000.

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

- (a) On-street mobile plant:  
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:  
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

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

**Reason:** Proper management of public land.

68. 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.

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

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

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

**Reason:** Statutory requirement.

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

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

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

71. 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.

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

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

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

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

74. 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.

75. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Principal Certifying Authority (and Council if not the PCA) of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters and drainage pits.

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

76. 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.

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

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

78. 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:

- Protect and support the adjoining premises from possible damage from the excavation
- 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.

79. 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.

80. 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.

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

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

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

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

**Reason:** To comply with the requirements of SafeWork NSW.

- 83. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report

must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:

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

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

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

84. A Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:

- a) Expected volumes and types of waste to be generated during the demolition, excavation and construction stages of the development; and
- b) Destination of each type of waste, including the name, address and contact number for each receiving facility.

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

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

#### **HEALTH (GENERAL)**

85. A Noise Management Plan must be submitted to Council for approval prior to any demolition, excavation or construction work commencing and complied with during all 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) Confirmation of the level of community engagement that has, is and will be undertaken with the Building Managers/occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (b) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise

sensitive properties during the main stages of work at neighbouring noise sensitive properties in order to keep complaints to a minimum.

- (c) What course of action will be taken following receipt of a complaint concerning site noise, dust and vibration.
- (d) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring properties to a minimum.
- (e) What plant and equipment is to be used on the site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring properties and other less intrusive technologies available.

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

86. A Construction Environmental Management Plan (CEMP) must be prepared in accordance with the Department of Infrastructure, Planning and Natural Resources (2004) Guidelines for the Preparation of Environmental Management Plans and submitted to the relevant authorities at least 4 weeks prior to the commencement of construction.

The CEMP must be prepared and implemented in accordance with the procedures, safeguards and mitigation measures identified in the EA and in consultation with relevant stakeholders. One such safeguard measure to be implemented prior to operation is the installation of a pollution control valve that will contain all pollutants on the premises so that all stormwater outlets from the premises are capable of being closed off.

The CEMP must contain all the Construction Sub Plans, including:

- a) Construction Noise and Vibration Management Sub Plan,
- b) Construction Contaminated Land Management Sub Plan (to further assess the extent of asbestos and ensure the ash layer will not be disturbed during construction in addition to any relevant Remedial Action Plan),
- c) Construction Soil and Water Management Sub Plan.

The approved CEMP must be made publicly available.

**Reason:** To minimise environmental impacts during construction works.

87. An Operation Environmental Management Plan (OEMP) must be prepared in accordance with the Department of Infrastructure, Planning and Natural Resources (2004) Guidelines for the Preparation of Environmental Management Plans and submitted to the relevant authority at least 4 weeks prior to the commencement of operation. The OEMP must be prepared and implemented in accordance with the procedures, safeguards and mitigation measures identified in the EA and in consultation with relevant stakeholders. The OEMP must incorporate a monitoring and review program which contains (but is not limited to):

- a) an Operation Noise Management Sub Plan,

- b) an Operation Air Quality/Odour Management Sub Plan,
- c) a Quantitative Final Hazard Analysis,

The approved OEMP must be made publicly available.

**Reason:** To minimise environmental impacts during operation.

#### **UTILITIES**

88. Before commencing any underground activity, the applicant is required to obtain advice from the **Dial before You Dig 1100** service in accordance with the requirements of the Electricity Supply Act 1995 (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.

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

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

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

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

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

#### **PUBLIC ART**

90. Prior to any works commencing, the applicant shall lodge with Council a final Arts Plan which:

- (a) Contains the necessary historical information and site analysis, as well as detailed identification of site opportunities in relation the building plans;
- (b) The final Plan shall also be consistent with Council's "Interim Public Art Guidelines for Developers";
- (c) Confirms that the budget for the public art works shall not be less than 0.5% of the cost of works of the development as nominated on the Development Application form.
- (d) Requires a maintenance schedule for the works, the ongoing implemented of which shall be at the cost of the relevant body corporate/Owners Corporation.

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



**Note:** The submission of the final Arts Plan ~~for the subject application can be deferred to prior to the issue of any occupation certificate for the subject development application, only with the written consent of the City of Parramatta Council, until such time as to allow for a holistic Arts Plan is to be developed for any approved commercial development above for the 6 & 8 development site.~~

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

## **During Work**

### **STANDARD**

91. 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.
92. 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.
93. 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.
94. 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.
95. The applicant must not enter or undertake any work within any adjoining public parks or reserves without the prior written consent of Council.  
**Reason:** Protection of existing public infrastructure and land and to ensure public safety and proper management of public land.
96. All work (excluding demolition which has separate days and hours) including building, and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools, machinery etc.) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 8.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

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

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

Such circumstances where extended hours may be permitted include:

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

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

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

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

98. 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.

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

99. A survey certificate is to be submitted to the Principal Certifying Authority at the formwork stage for each level. The certificate must indicate the location of the building in relation to all boundaries, and must confirm the floor levels are 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.

100. 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.

101. 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.

102. No building materials skip bins, concrete pumps, cranes, machinery, signs or vehicles used in or resulting from the construction, excavation or demolition relating to the development shall be stored or placed on Council's footpath, nature strip or roadway.

**Reason:** To ensure pedestrian access.

103. All plant and equipment used in the construction of the development, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries.

**Reason:** To ensure public safety and amenity on public land.

104. No trees on public property (footpaths, roads, reserves, etc.) are permitted to be removed, pruned or damaged during construction including the installation of fences, hoardings or other temporary works, unless approved in this consent.

**Reason:** Protection of existing environmental infrastructure and community assets.

105. 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.

106. A Waste Data file is to be maintained, recording building/demolition contractors' 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.

107. 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 AND PARKING**

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

**Reason:** To ensure appropriate car parking.

109. Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way.

**Reason:** To ensure pedestrian safety.

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

**Reason:** To ensure proper management of Council assets.

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

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

#### **ENGINEERING**

112. Stormwater from all new impervious areas, and subsoil drainage systems, must be piped to the existing site drainage system. The installation of new drainage components must be completed by a licensed contractor in Accordance with AS3500.3 (2003) - Stormwater Drainage and the Building Code of Australia (National Construction Code).

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

113. 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.

#### **CONTAMINATION**

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

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

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

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

116. 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.

117. 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.

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

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

#### **UTILITIES**

119. A number of significant electrical assets are located on and adjacent to the site. The Contractor is to be aware of the potential risks of working adjacent to these assets such as receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy has available public safety training resources that are reviewed by the Contractor to ensure that works are carried out safely at the site. These resources can be downloaded from the website link below:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>

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

120. When undertaking works on or in the vicinity of Endeavour Energy's electricity network, asbestos or ACM must be identified by a competent person employed by or contracted to the applicant and an asbestos management plan, including its proper disposal, is required whenever construction works has the potential to impact asbestos or ACM.

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

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

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

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

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

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

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

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

### **Prior to the issue of an Occupation Certificate/Subdivision Certificate**

#### **STANDARD**

123. Prior to the issue of an occupation certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Parramatta City Council, stating that all relevant works/methods/procedures/control measures approved by Council in the reports referred to in Condition 1 have been completed.

**Reason:** To demonstrate compliance with submitted reports.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior

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

130. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Occupation Certificate. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 13 20 92.

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

131. Prior to the release of any Occupation Certificate, the applicant shall submit, to the satisfaction of Council, an Operational Plan of Management for the basement car park levels.

At a minimum, that Plan must address the following:

- (a) Provision of LED lighting,
- (b) CCTV,
- (c) Variable message signs

**Reason:** To ensure the smooth and efficient management of the basement.

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

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

133. Submission of a letter confirming satisfactory arrangements have been made for the provision of electricity services from Endeavour Energy or an approved electricity provider.

**Reason:** To ensure appropriate electricity services are provided.

#### **ENGINEERING**

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

**Note:** Notification of all relevant authorities of the approved street numbers must be carried out by Council.

**Reason:** To ensure all properties have clearly identified street numbering, particularly for safety and emergency situations.

135. An evacuation report and procedure shall be prepared by an appropriate consulting engineer. This report is to demonstrate how the occupants of the development will egress the site in the early stages of a storm event, together with how they will seek refuge in a peak stormwater event (i.e. first floor of the building etc.). The report shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. A copy of the report shall be attached to the Occupation Certificate when forwarded to Council.



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

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## **The Use of the Site**

### **STANDARD**

136. Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.  
**Reason:** To minimise noise impact of mechanical equipment.
137. No advertisement/signage shall be erected on or in conjunction with the development without prior consent.  
**Reason:** To comply with legislative controls.
138. All loading and unloading must be undertaken in accordance with the approved management plan for the loading dock.  
**Reason:** To protect the amenity of the neighbourhood.
139. No materials, goods or vehicles associated with the use of the premises are to be stored or displayed on or within the street reserve or other public area.  
**Reason:** To ensure the integrity of Council's assets is protected and to ensure unobstructed pedestrian movement in the vicinity of the proposal.
140. 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.
141. All new and existing fire safety measures identified in the Fire Safety Schedule shall be maintained in working condition at all times.  
**Reason:** Protection of life and to comply with legislative requirements.

**“Attachment A”**

**SYDNEY TRAINS CONCURRENCE LETTER**

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**“Attachment B”**

**RMS CONCURRENCE LETTER**

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**“Attachment C”**

**TfNSW CONCURRENCE LETTER**

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