

## ATTACHMENT 3 - DRAFT CONDITIONS OF CONSENT (DA/480/2018)

### General Matters

#### Planning

##### ***Approved Plans and Supporting Documentation***

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

##### **Architectural Drawings (Project No. 21070 prepared by Woods Bagot)**

Plan No.	Issue	Plan Title	Dated
0000	G	Cover Sheet	04.03.19
1001	D	Location Plan / Site Analysis	26.10.18
1101	B	Site Analysis	26.10.18
2101	S	Ground Level – Site Plan	09.05.19
22B1	N	Basement 1	09.05.19
22B2	M	Basement 2	09.05.19
22B3	L	Basement 3	09.05.19
22B4	J	Basement 4	09.05.19
22B5	D	Basement 5	04.03.19
2200	S	Ground Level	09.05.19
2201	N	Level 1 Podium	09.05.19
2202	N	Level 2 Podium	09.05.19
2203	L	Level 3 Podium	04.03.19
2204	J	Level 4 Podium Rooftop	04.03.19
2205	G	Level 5 Apartments	09.05.19
2206	E	Level 6 Apartments	09.07.19
2207	E	Level 7 Apartments	09.07.19
2208	E	Level 8 Apartments	09.07.19
2209	E	Level 9 Apartments	09.07.19
2210	E	Level 10 Apartments	09.07.19
2211	E	Level 11 Apartments	09.07.19
2212	E	Level 12 Apartments	09.07.19
2213	E	Level 13-23	09.07.19
2224	C	Level 24 N.Tower Plant	04.03.19
2225	D	Level 25 N.Tower Plant	09.07.19
2226	F	Level 26	09.07.19
2227	D	Level 27 to 42	09.07.19
2243	D	South Tower Plant	09.07.19
2244	D	South Tower Lift Overrun	09.07.19
2245	D	Level 45	09.07.19
2246	D	Level 46 N.Tower Plant	09.07.19
2247	D	Level 47 N.Tower Plant	09.07.19
2248	C	Level 48-51	09.07.19
2252	D	Level 52-56	09.07.19

Plan No.	Issue	Plan Title	Dated
2257	D	Level 57 S. Tower Penthouse	09.07.19
2258	D	Level 58	09.07.19
2259	C	Level 59-65	09.07.19
2266	E	Level 66 N. Tower Penthouse	09.07.19
2267	E	Level 67 N. Tower Roof Plant	09.07.19
3200	J	Eastern Elevation	09.07.19
3201	J	Northern Elevation	09.07.19
3202	J	Southern Elevation	09.07.19
3203	J	Western Elevation	09.07.19
3204	H	N. Tower – East & South Elevations	09.07.19
3205	H	N. Tower – West & North Elevations	09.07.19
3206	H	S. Tower – East & South Elevations	09.07.19
3207	H	S. Tower – West & North Elevations	09.07.19
3300	G	Section AA	09.07.19
3301	F	Section BB	09.07.19
3302	D	Section CC	09.07.19
4300	E	Façade – Typical Tower Living	04.03.19
4302	E	Façade – Tower Rooftop	04.03.19
4304	D	Façade – Podium	04.03.19
4305	C	Façade – Podium	04.03.19
4306	D	Façade – Podium	04.03.19
9000	E	GFA Plans	04.03.19
9001	E	GFA Plans	04.03.19
9002	E	GFA Plans	04.03.19
9100	E	Solar Access Diagrams	04.03.19
9101	E	Solar Access Diagrams	04.03.19
9200	E	Cross Ventilation Diagrams	04.03.19
9201	E	Cross Ventilation Diagrams	04.03.19
9300	F	Shadow Diagrams Winter Solstice	15.02.19
9301	A	Shadow Diagrams Winter Solstice	15.02.19
9302	A	Shadow Diagrams Winter Solstice	15.02.19
9303	A	Shadow Impact Analysis Winter Solstice	15.02.19
9304	A	Shadow Impact Analysis Winter Solstice	15.02.19
9500	C	SEPP 65 Storage Plans North Tower	04.03.19
9501	C	SEPP 65 Storage Plans	04.03.19
9502	C	SEPP 65 Basement	04.03.19
9503	C	SEPP 65 Podium	04.03.19
9600	B	Pre/Post Adaptable & Livable Apartments	22.06.18
9700	-	Materials Diagrams	09.07.19
9800	A	Long Grade Ramp Sections	04.03.19

**Civil Drawings (Project No. 18-538 prepared by at&I)**

Plan No.	Issue	Plan Title	Dated
DAC001	B	Cover Sheet and Locality Plan	15-07-18

Plan No.	Issue	Plan Title	Dated
DAC002	B	Notes and Legends	15-07-18
DAC003	B	General Arrangement Plan	15-07-18
DAC005	B	Typical Sections	15-07-18
DAC010	B	Siteworks Details	15-07-18
DAC015	B	Stormwater Details	15-07-18
DAC020	B	Siteworks and Stormwater Plan Sheet 1	15-07-18
DAC021	B	Siteworks and Stormwater Plan Sheet 1	15-07-18
DAC025	B	Control Line Setout Plan	15-07-18
DAC030	B	Public Domain Longitudinal Section Sheet 1	15-07-18
DAC031	B	Public Domain Longitudinal Section Sheet 2	15-07-18
DAC032	B	Boundary Longitudinal Section Sheet 1	15-07-18
DAC033	B	Boundary Longitudinal Section Sheet 2	15-07-18
DAC040	B	Public Domain Cross Sections Sheet 1	15-07-18
DAC041	B	Public Domain Cross Sections Sheet 2	15-07-18
DAC042	B	Public Domain Cross Sections Sheet 3	15-07-18
DAC043	B	Public Domain Cross Sections Sheet 4	15-07-18
DAC050	B	WSUD Tank 1 Plan and Details	15-07-18
DAC051	B	WSUD Tank 1 Sections	15-07-18
DAC052	B	WSUD Tank 2 Plan and Details	15-07-18
DAC053	B	WSUD Tank 2 Sections	15-07-18
DAC055	B	Stormwater Drainage Catchment Plan	15-07-18
DAC060	B	Pavement, Signage and Linemarking Plan	15-07-18
DAC090	B	Sediment and Erosion Control Plan	15-07-18
DAC091	B	Sediment and Erosion Control Details	15-07-18

**Landscape Drawings (Project No. ND2186 prepared by URBIS)**

Plan No.	Issue	Plan Title	Dated
L0000	C	Coversheet	17.12.18
L500	C	GL Planting Plan	17.12.18
L501	A	L1 Planting Plan	22.06.18
L502	B	L4 Planting Plan	28.06.18
-	-	Street Tree Planting Details (Page 1)	April 2017
-	-	Planting Details	-
-	-	Design Details – Pavement Layout	-

**Specialist Reports**

Document	Ref No.	Prepared By	Dated
Construction Management Plan	-	Karimbla Construction Services	-
Design Report		Woods Bagot	16.07.2019
Review of Archaeological Issues	-	Cultural Resources Management	23.11.2015
Development Assessment Acoustic Report	Document Reference: 20180291.1/2603A/R0/TA	Acoustic Logic	26.03.2018

Geotechnical Investigation Report	Project 86583.00 – Revision 1	Douglas Partners	29.11.2018
Environmental Wind Tunnel Testing	Ref: 610.17932-R02 – Version v2.0	SLR	20.05.2019
Crime Risk and Security Report	-	Meriton Property Services Pty Ltd	25.06.2018
Heritage Impact Statement	-	NBRS Architecture	29.06.2018
Aboriginal Impact Assessment Report	-	Jacksons Nature Works	28.06.2018
Nathers Assessment	Reference 19-0799 – Issue C	Efficient Living	24.09.2019
Reflectivity and Glare Assessment	Reference: 610.17932 Version v1.0	SLR	27.06.2018
Operational Waste Management Plan	Revision B	Elephants Foot	05.07.2018
Construction Waste Management Plan	Revision 001	Karimbla Construction Services (NSW) Pty Ltd	November 2018
Civil Infrastructure DA Report	Report No. R001-01-18-538 – Revision 02	At&I	November 2018

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

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

#### ***Restricted Vehicle Access***

2. Boom Gates to be provided at the access ramp to Level 3 Podium in order to prevent the use of the residential parking spaces on Level 3 Podium by users other than the residents.

**Reason:** To ensure appropriate management of parking spaces.

3. Prior to the issue of the relevant construction certificate, the applicant must submit a revised the Basement 1 Floor Plan to show the location of the proposed intercom associated with the boom gate on Basement 1 to the satisfaction of Council's Traffic and Transport Manager. The intercom is to be provided at the centre of the aisle (not attached on the wall) in order to prevent vehicles using the wrong side of the circulation aisle for accessing the intercom.

**Reason:** To ensure appropriate management of parking spaces.

#### ***Driveway Gate***

4. The proposed gate at the driveway entry and exit from George Street shall be deleted.

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

#### ***Building Work in Compliance with BCA***

5. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code). Compliance with the Building Code of Australia must not be reliant on any existing or proposed easement over Council owned land.

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

#### ***Construction Certificate***

6. Prior to commencement of any construction works associated with the approved development (including any additional excavation not covered under a separate approval), 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.

***No Encroachment on Council and/or Adjoining Property***

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

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

***Water NSW General Terms of Approval***

8. The development shall comply with the requirements of the General Terms of Approval in the Water NSW letter **Ref: IDAS110861** dated **24 December 2018**.

**Reason:** To comply with Water NSW integrated requirements.

***Office of Environment & Heritage General Terms of Approval***

9. The development shall comply with the requirements of the General Terms of Approval in the Office of Environment and Heritage letter **Ref: DOC18/521464** dated **19 September 2018**.

**Reason:** To comply with Office of Environment and Heritage integrated requirements.

***Department of Infrastructure, Regional Development and Cities***

10. The proposed buildings shall comply with the requirements of the controlled activity approval as outlined in the Australian Department of Infrastructure, Regional Development and Cities letter **Ref: F17/968-52** dated **8 July 2019**. Cranes require separate approval from the Department of Infrastructure, regional Development and Cities.

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

***Maximum Building Height***

11. The building hereby approved must not exceed a maximum height of **218.3** metres AHD, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like. A survey report confirming compliance is to be submitted to the satisfaction of the Principal Certifying Authority prior to the release of the final Occupation Certificate. A copy of the report is to be provided to Council for their records.

**Reason:** To comply with the requirements of the Department of Infrastructure, Regional Development and Cities.

***Public Utility Relocation***

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

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

***Communal Open Space***

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

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

***Demolition & tree removal***

14. Trees equal to or greater than five (5) metres in height, which are protected under City of Parramatta Council Development Control Plan 2011 (Part 5.4 Preservation of Trees or Vegetation), must not be removed or damaged without Council consent.

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

***Public Reserve Protection (Stockpiling)***

15. No materials, vehicles, refuse skips and the like are to be placed or stored in the adjoining public reserve.

**Reason:** To ensure public safety and protect the amenity of public land.

***Public Reserve Access & Works***

16. No works or vehicular access are permitted within the adjoining Council reserve during works without the prior written consent of Council.

**Reason:** To ensure public safety and protect the amenity of public land.

***Waterways Protection***

17. All works must be carried out so that:

- (i) No materials are eroded, or likely to be eroded, are deposited, or likely to be deposited, on the bed or shore or into the waters of the Parramatta River; and
- (ii) No materials are likely to be carried by natural forces to the bed, shore or waters of the Parramatta River.

Any material that does enter the Parramatta River must be removed immediately.

**Reason:** To ensure protection of waterways.

***General Flooding***

18. The site is potentially subject to flooding from Parramatta River. The minimum finished floor levels of any habitable rooms must be RL 7.08m AHD which is the Council adopted 1% AEP flood level + 0.5m freeboard.

**Reason:** Flood risk management

**Design Excellence**

***Design Excellence Preservation***

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

- (a) The architectural design team, **Woods Bagot**, is to have direct involvement in the design documentation, contract documentation and construction stages of the project (including signing off any required certifications at DA, Modification Applications, Construction Certificate and Occupation Certificate stages).
- (b) The design architect's team is to have full access to the site, following appropriate safety inductions, and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of any design issues throughout the life of the project.
- (c) Evidence of the design architect's team commission is to be provided to the Council prior to release of any Construction Certificate.
- (d) Council's Design Competition Panel (Design Excellence Jury) is to review and provide comment on the architectural drawings, landscape drawings and samples of all external materials, in particular the external glazing and façade detailing to ensure the scheme remains substantially the same as the award winning scheme prior to the issue of any relevant Construction Certificate and any Occupation Certificate.
- (e) The design architect of the project is not to be changed without prior notice and approval of the Design Excellence Jury.

The Principal Certifying Authority must be satisfied that the above matters have been complied with prior to the issue of a relevant Construction Certificate, in accordance with written confirmation from City of Parramatta Council.

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

**Endeavor Energy**

***Electrical Infrastructure - Asbestos***

20. Endeavour Energy's G/Net master facility model indicates that the site is in a locality identified or suspected of having asbestos or asbestos containing materials (ACM) present. Whilst Endeavour Energy's underground detail is not complete within G/Net in some areas, in older communities, cement piping was regularly used for the electricity distribution system and in some instances containing asbestos to strengthen the pipe; for insulation; lightness and cost saving.

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 or electrical 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 protect the amenity of the area and ensure construction safety.

### ***Electrical Connection***

21. Although there are existing customer connections to the site, the applicant for the future proposed development of the site may need to submit an application for connection of additional load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount substations will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please find attached a copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link:

<http://www.endeavourenergy.com.au/>

Advice on the electricity infrastructure required to facilitate the proposed development (including asset relocations) can be obtained by submitting a Technical Review Request to Endeavour Energy's Network Connections Branch, the form for which FPJ6007 is attached and further details (including the applicable charges) are available from Endeavour Energy's website under 'Our connection services'. The response to these enquiries is based upon a desktop review of corporate information systems, and as such does not involve the engagement of various internal stakeholders in order to develop a 'Connection Offer'. It does provide details of preliminary connection requirements which can be considered by the applicant prior to lodging a formal application for connection of load.

Alternatively the applicant should engage a Level 3 Accredited Service Provider (ASP) approved to design distribution network assets, including underground or overhead. The ASP scheme is administered by NSW Trade & Investment and details are available on their website via the following link or telephone 13 77 88:

<http://www.resourcesandenergy.nsw.gov.au/energy-supply-industry/pipelines-electricity-gas-networks/network-connections/contestable-works>

**Reason:** To comply with the requirements of Endeavour Energy.

### ***Electrical Easements***

22. The following is a summary of the usual / main terms of Endeavour Energy's electrical easements / protected electrical works requiring that the land owner:

- Not install or permit to be installed any services or structures within the easement site.
- Not alter the surface level of the easement site.
- Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose.

If the proposed works will encroach/affect Endeavour Energy's easements contact must first be made with the Endeavour Energy's Easements Officer.

It is imperative that the access to the existing electrical infrastructure adjacent and on the site is maintained at all times. To ensure that supply electricity is available to the community, access to the electrical assets may be required at any time.

**Reason:** To comply with the requirements of Endeavour Energy.

***Prudent Avoidance***

23. The electricity network is operational 24/7/365 ie. all day, every day of the year. The electricity industry has adopted a policy of prudent avoidance by doing what can be done without undue inconvenience and at modest expense to avert the possible risk to health from exposure to emissions from electricity infrastructure such as electric and magnetic fields (EMF) and noise which generally increase the higher the voltage ie. Endeavour Energy's network ranges from low voltage (normally not exceeding 1,000 volts) to high voltage (normally exceeding 1,000 volts but not exceeding 132,000 volts / 132 kV). In practical terms this means that when designing new transmission and distribution facilities, consideration is given to locating them where exposure to the more sensitive uses is reduced and increasing separation distances. Endeavour Energy believes that likewise Council should also adopt a policy of prudent avoidance by the siting of more sensitive uses away from any electricity infrastructure – including any possible future electricity infrastructure required to facilitate the proposed development. Even with less sensitive non-residential development proposed on the lower levels of the towers, Endeavour Energy believes that a policy of prudent avoidance should be considered.

ENA's 'Electric & Magnetic Fields – What We Know, January 2014' which can be accessed via the ENA's website at <http://www.ena.asn.au/> and provides the following advice

*Localised EMFs may also be encountered in specific situations such as near substations, underground cables, specialised electrical equipment, or at elevated locations near lines. Note that the strengths of EMFs decrease rapidly with distance from the source.*

Typical magnetic field measurements associated with Endeavour Energy's activities and assets given the required easement widths, safety clearances etc. and having a maximum voltage of 132,000 volt / 132 kV, will with the observance of these separation distances not exceed the recommended magnetic field public exposure limits.

**Reason:** To comply with the requirements of Endeavour Energy.

***Vegetation Management***

24. The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure. Only low growing shrubs not exceeding 3.0 metres in full grown height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure and even with underground cables, be installed with a root barrier around the root ball of the plant. Landscaping that interferes with electricity infrastructure may become subject to Endeavour Energy's Vegetation Management program and/or the provisions of the Electricity Supply Act 1995 (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

**Reason:** To comply with the requirements of Endeavour Energy.

***Electrical Workers Safety***

25. Workers involved in work near electricity infrastructure are at risk of receiving an electric shock and causing substantial damage to plant and equipment. All physical works must to comply with Endeavour Energy's public safety policies, that assist the general public and construction workers in understanding associated risks and safe work procedures. The public safety training resources are also available via Endeavour Energy's website via the following link:

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

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should



report this immediately via telephone to the 24-hour emergency service centre on 131 003.

**Reason:** To ensure construction safety procedures are appropriately implemented.

***Public Safety***

26. Workers involved in work near electricity infrastructure run the risk of receiving an electric shock and causing substantial damage to plant and equipment. I have attached Endeavour Energy's public safety training resources, which were developed to help general public / workers to understand why you may be at risk and what you can do to work safely. The public safety training resources are also available via Endeavour Energy's website via the following link:

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

If the applicant has any concerns over the proposed works in proximity of the electricity infrastructure, as part of a public safety initiative Endeavour Energy has set up an email account that is accessible by a range of multiple stakeholders across the company in order to provide more effective lines of communication with the general public who may be undertaking construction activities in proximity of electricity infrastructure such as builders, construction industry workers etc. The email address is [Construction.Works@endeavourenergy.com.au](mailto:Construction.Works@endeavourenergy.com.au).

***Dial Before You Dig***

27. 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.

***Flooding and Drainage***

28. Endeavour Energy's Mains Construction Instruction MCI 0006 'Underground distribution construction standards manual' provides details of the requirements for flooding in new distribution substation locations:
- Substations are to be located such that the risk of flooding or stormwater damage is minimal.
  - As a minimum the level at the top of the transformer footing, HV and LV switchgear, shall not be lower than the 1:100 year flood level;
  - All drains with the substation area or in the vicinity shall be properly maintained to avoid the possibility of water damage to Endeavour Energy's equipment;
  - In areas where, as determined by the Network Substation Manager, there is a high water table or heightened risk of flooding, indoor substations will not be permitted;
  - All materials used in the construction below the substation (ground level) shall be capable of withstanding prolonged immersion in water without swelling or deterioration.

**Office of Environment and Heritage (Archaeology)**

***Separate Heritage Approvals***

29. Should unexpected historical archaeological information be uncovered, works should cease in the affected area and a suitably qualified archaeologist be sent to assess the find. An approval under the Heritage Act 1977 prior to harm occurring to historical archaeological relics under s139(4) or s140 of the Act may be required prior to the recommencement of works on the site. In the event state significant archaeological remains are identified additional consultation with the heritage Council or its delegate should occur.

**Reason:** To comply with the requirements of the Act and the Authority.

***Archaeology Excavation Supervision***

30. Given the State Significance and rarity of the archaeological evidence previously removed from the site, the proponent must provide on-site interpretation of the Aboriginal and historic archaeology of the site. This interpretation should include at a minimum, the artefacts already housed in displays at the for any above ground structures at the site and should also include an

updated conservation assessment for those artefacts. The on-site interpretation is to be completed and implemented within a public space of the redevelopment prior to the release of the occupation certificate for the main lobby to the hotel suites. Final design details of the on-site public interpretation strategy, including information on the existing condition, display and housing of artefacts, is to be submitted to the Heritage Council of NSW or its delegate for approval, prior to the issuing of any construction certificate relating to the above ground structure.

**Reason:** To comply with the requirements of the Authority.

## Traffic

### ***Car Parking Allocation***

31. The approved car parking spaces are to be allocated as follows in perpetuity:

- (a) Existing Commercial / Retail spaces within Building B and C – **27** spaces
- (b) Residential and Serviced Apartments – **577** spaces
- (c) Commercial/Retail(excluding Serviced Apartments and Child Care Centre) Maximum – **50** spaces
- (d) Loading Spaces Minimum – **3** loading bays
- (e) Car Share Minimum – **1** space

Total on-site car parking shall be limited to a maximum of **654** spaces.

Details demonstrated compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to release of relevant Construction Certificate and relevant Occupation Certificate.

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

## Transport for NSW

### ***Relocation of TfNSW Services/Infrastructure***

32. The relocation of any TfNSW services or infrastructure is to be at the applicants cost and to TfNSW Requirements and Standards.

**Reason:** SEPP (Infrastructure) 2007 concurrence requirement of Transport for NSW.

### ***Cost of Works and Signage***

33. All works/regulatory signage associated with the proposed development are to be at no cost to TfNSW/Roads and Maritime Services.

**Reason:** SEPP (Infrastructure) 2007 concurrence requirement of Transport for NSW.

## **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.)

## Planning

### ***Section 7.12 Contributions***

34. A monetary contribution comprising **\$9,670,008.20** is payable to City of Parramatta in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the *Parramatta City Centre S94A Development Contribution Plan (Amendment No. 4)*. Payment must be by EFTPOS, bank cheque or credit card only.

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

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

*Parramatta City Centre S94A Development Contribution Plan (Amendment No. 4)* can be viewed on Council's website at: <https://www.cityofparramatta.nsw.gov.au/business-development/planning/development-contributions>

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

***Long Service Levy***

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

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

***Environmental Enforcement Service Charge***

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

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

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

***Infrastructure & Restoration Administration Fee***

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

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

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

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

***Security Bonds***

38. In accordance with Section 4.17(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds payable to Council for the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application/approval associated with the allotment, (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate is not required.

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent **DA/480/2018**;
- (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:

<b>Bond Type</b>	
<b>Street Trees</b> (see Schedule of Fees and Charges, \$2,000 per tree in 2018/19 financial year)	<b>\$4,000</b>
<b>Development Site</b> (see Schedule of Fees and Charges, \$25,000 in 2018/19 financial year)	<b>\$25,000</b>
<b>TOTAL</b>	<b>\$29,000</b>

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

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

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

#### ***Heritage Interpretation Strategy***

- 38A. Prior to issue of any Construction Certificate relating to the façade of the development, a Heritage Interpretation Strategy is to be submitted to and approved by the Group Manager, Development and Traffic Services. The Strategy is to:

- a) Detail how information on the history and significance of the site and building will be provided for the public and make recommendations regarding public accessibility, signage and lighting. The strategy may, for example, include public art, details of the heritage design, or the display of selected artefacts.

**Reason:** To ensure that loss of heritage fabric at the site is offset by an appropriate interpretation strategy.

#### ***Wind Report Recommendations***

- 38B. Details showing the compliance with the recommendations, including further testing and implementation of mitigation measures, outlined in the amended Wind Report (Ref: 610.17932-R02 – Version v2.0, dated May 2019 prepared by SLR) shall be submitted to the Group Manager, Development and Traffic Services for approval prior to the issue of any construction certificate.

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

#### ***No External Service Ducts***

39. 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 relevant Construction Certificate to the satisfaction of the Principal Certifying Authority.

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

#### ***Accessible Hotel Rooms***

40. At least **3%** accessible rooms shall be provided within the hotel, distributed proportionately across the mix of hotel room types (ideally at least 1 accessible room for each room type). Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

**Reason:** To maximise accessible options.

#### ***Single Master TV antenna***

41. Relevant television services by a telecommunication company is to provide the relevant connections to units. Details of these connections are to be annotated on the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Principal Certifying Authority. The connections are to be operational prior to the issue of the relevant Occupation Certificate.

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

#### ***SEPP 65 Verification***

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

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

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

#### ***Adaptable Dwellings***

43. At least **10%** adaptable residential units shall be provided. Plans submitted with the relevant Construction Certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

**Reason:** To ensure the required adaptable dwellings are provided.

#### ***Liveable Housing***

44. At least **20%** of the residential units shall be designed and fit-out to achieve the 'silver level' requirements as set out in the Liveable Housing Design Guidelines Details published by Liveable Housing Australia. Details shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

**Reason:** To ensure the required liveable dwellings are provided.

#### ***Storage Provision***

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

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

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

#### ***Specialist Reports***

46. The requirements/recommendations in the following specialist reports outlined in Condition 1 shall be incorporated into the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Principal Certifying Authority:

Document	Ref No.	Prepared By	Dated
Construction Management Plan	-	Karimbla Construction Services	-
Development Assessment Acoustic Report	Document Reference: 20180291.1/2603A/R0/TA	Acoustic Logic	26.03.2018
Geotechnical Investigation Report	Project 86583.00 – Revision 1	Douglas Partners	29.11.2018
Environmental Wind Tunnel Testing	Ref: 610.17932-R02 – Version v2.0	SLR	20.05.2019
Heritage Impact Statement	-	NBRS Architecture	29.06.2018
Aboriginal Impact Assessment Report	-	Jacksons Nature Works	28.06.2018
Nathers Assessment	Reference 19-0799 – Issue C	Efficient Living	24.09.2019
Reflectivity and Glare Assessment	Reference: 610.17932 Version v1.0	SLR	27.06.2018
Civil Infrastructure DA Report	Report No. R001-01-18-538 – Revision 02	At&I	November 2018

A list of all of the recommendations and how they have been actioned shall be provided to Council

and Principal Certifying Authority.

**Reason:** To ensure the development is implemented as proposed.

***Obscure Glazing***

47. All window openings servicing a bathroom and/or WC within each dwelling must have either frosted or obscure glazing. Details are to be provided on the plans and documentation accompanying the relevant Construction Certificate application to the satisfaction of the Certifying Authority.

**Reason:** To ensure privacy to adjoining sites is adequately maintained.

***Access and Services for People with Disabilities***

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

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

***Location of Plant***

49. Prior to the issue of the relevant Construction certificate, the Principal Certifying Authority must be satisfied that all plant and equipment (including but not limited to air condition equipment) is located within the basement or screened on the roof, except as explicitly shown otherwise on the approved drawings.

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

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

***Location of Mains Services***

50. To reduce the extent of overhead cabling, all service mains required to facilitate the development must be underground, both within the allotment boundaries and the public way. Details must be provided with the plans and documentation accompanying the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

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

***Study Rooms***

51. The multi-use rooms on the approved drawings shall be of a size less than a bedroom as described in the Apartment design Guidelines. Details shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

**Reason:** To ensure study rooms are not convertible for use as bedrooms.

***External Walls and Cladding Flammability***

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

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

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

***Submit Detailed Concept Development, Including Artwork***

53. A Detailed Public Art Plan prepared by a suitably qualified and experienced public art consultant, developed in accordance with the City of Parramatta's 'Interim Public Art Guidelines for Developers' shall be submitted to and approved by Council's Service Manager of City Animation,

prior to the issue of the relevant Construction Certificate.

The Public Art Plan is to include contextual and historical themes, and design details of each public art work, including concept drawings, scale and context, materials and finishes, timeline showing staging of the artwork, and an estimated budget, indicated on the approved plans.

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

***Reflectivity of External Finishes***

54. External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The visible light reflectivity index of roof finishes and glazing is to be no greater than 10% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the Construction Certificate to the satisfaction of the Principal Certifying Authority.

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

**Design Excellence**

***Façade Samples***

55. Prior to the issue of the relevant Construction Certificate, the following detail must be submitted to, and approved by, Council's City Architect, Design Excellence Jury and Environmentally Sustainable Development consultant:

- Documented details (photos, videos) and an accompanying report of the 1:1 manufactured visual mock-up (VMU) of key junctions of the external glazed facade (minimum 3m x 3m dimensions)

**Reason:** To fulfil the Design Excellence criteria of the Parramatta LEP 2011

***Detailed Drawings***

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

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

**Endeavour Energy**

***Energy Provider Requirements for Substations***

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

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

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

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

**Engineering**

***Design to withstand flooding***

58. 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.

***Water treatment for stormwater***

59. Water quality treatment devices must be installed to manage surface runoff water quality to satisfy section 3.3.6.1 of City of Parramatta Council Development Control Plan 2011. Details of the proposed devices and their location must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

***Proposed inlet pit***

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

**Reason:** To ensure appropriate drainage.

***Two-tier flood-proofing of basement.***

61. Details of the following are to be submitted to Council's Manager, Technical Specialists for approval prior to release of the Construction Certificate. The required PMF level is RL 10.0m AHD.:

- a) Passive (non-mechanical) overland flow flood protection must be provided up to the Flood Planning Level PL (7.08 m AHD) or higher to all basement car park entries and openings from ground floor level (driveways, stairwells, lifts, service cores etc and any other vertical openings) by provision of crests, steps and continuous bunding. This must be done passively by the structural form itself.
- b) All vehicular and pedestrian entry points and any other penetrations to the basement level, including fire stairs that exit the building below the PMF level, are to be protected with passive, automatic, fail-safe systems (such as increased crest levels or self-actuated flood gates and/or flood doors to exclude all floodwaters up to the PMF (10.0m AHD).
- c) 'Shelter in place' facilities are required on floors above the PMF (RL 10.0m AHD) to provide safe refuge and shelter from severe floods and storms above the PMF level within the building for occupants and people in the vicinity. An adequate area, properly equipped, must be designated for this purpose and suitable facilities, including water supply, sanitation, first aid, food storage etc must be provided.
- d) An escape path/stairway floodproofed up to the PMF (RL 10.0m AHD) must be provided within the building from the basement levels to the safe refuge area/s (shelter in place) above the PMF level. Any external doors that access this path or staircase must be fitted with self-closing flood doors to exclude floodwaters from the staircase and the basement.
- e) The fire and flood stairs may be shared provided that the above flooding requirements are met, as well as fire requirements.
- f) Stairways and lifts within the building that connect the basement levels to the ground and higher areas and fire escape stairs must be protected from inundation by approved self-operating flood barriers or flood doors up to the PMF level (RL 10.0m AHD), to prevent water from entering the basement levels. The operation and maintenance of these systems must be addressed in the Flood Emergency Response Plan.
- g) Design details must be submitted to show adequate ventilation of the basement carparks in floods up to the PMF event (RL 10.3m AHD).. For example, the inlet/outlet vents of ventilation shafts are to be located well above the PMF level.
- h) To increase opportunities for evacuation of disabled and frail people, accessible car parking spaces are to be located as high as possible in the basement carparks.

***Flood emergency response plan***

62. A flood emergency response plan must be prepared for the development to address large scale evacuation, emergency access and shelter in place strategies during floods and other emergencies.

- a) As river flooding may occur rapidly, evacuation off-site may not be practical. In this case shelter in place facilities must be provided above the PMF flood level which is RL 10.0m AHD. Such equipment that may be required to be stored in these spaces would be



emergency food and water supplies, electrical generators, defibrillators and other medical supplies etc.

- b) The design of this facility must address how a fire will be fought if it coincided with a significant flood event including PMF.
- c) The flood emergency response plan must be submitted to Council's Manager Technical Specialists for approval prior to the release of any occupation certificate. It must also be registered on the title of the property prior to release of the Occupation Certificate.

**Reason:** To manage flood risk on the site.

***Stormwater design***

63. The final, detailed stormwater design for the water management and drainage within the site must be submitted to the PCA for approval prior to the issue of a construction certificate.

This design must be generally in agreement with the Council's DCP 2011, the approved DA plans and the approved Civil and Stormwater Plans.

**Reason:** To ensure appropriate stormwater drainage.

***Basement tanked construction and base slab design***

64. The perimeter walls and floor of the basement must be constructed using a "Tanked Construction" method, to prevent groundwater permeating the basement walls and floor base. Basement walls and the base slab must be designed to withstand hydrostatic loading. Groundwater must be conveyed around the basement to replicate predevelopment groundwater flow conditions.

The landowner must manage groundwater inflows and outflows during construction and thereafter in perpetuity, including monitoring, to ensure that there are no adverse effects on the environment and public health, including groundwater table levels, surface and groundwater flow regimes, contamination and pollution, flooding, water quality and structural stability.

Council may accept an alternative base slab construction whereby the basement floor slab is fully protected from hydrostatic loading by cutting the side shoring walls deeply into the bedrock so that the area beneath the base slab is sealed off and remains effectively dry and unable to transmit hydrostatic forces. This alternative base slab design approach may be accepted by

Council subject to a review when the basement has been excavated and real ground conditions can be examined. This review of actual site conditions must be made by a qualified geotechnical engineer, and must certify to Council's reasonable satisfaction that a hydrostatic base slab is not required or, if this is not the case, a fully strengthened hydrostatic base slab must be constructed.

**Reason:** Protection of the environment, structural stability and public safety.

***Stormwater Disposal***

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

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

***Water Sensitive Urban Design***

66. Water Sensitive Urban Design (WSUD) principles must be implemented in this development. The WSUD strategy and working design must be prepared and submitted to the PCA for approval prior to release of the relevant Construction Certificate. This involves the consideration not just of water quality improvement, but also the quantity and amenity of stormwater/rainwater run-off. These aspects must be improved by using vegetated, landscape-integrated WSUD measures that both retain water on-site and provide social and ecological services such as visual amenity, urban cooling and provision of habitat for local wildlife. rainwater harvesting for reuse as well as green roof/, deep soil and permeable surfaces are recommended for use on this site. For landscape-integrated WSUD measures, consistency between landscape and engineering plans must be achieved. Further information on the preparation of a WSUD strategy may be found in the City of Parramatta Council DCP (2011), section 3.3.6 and Appendix 7.

**Reason:** To manage the flow and quality of stormwater.

**Construction Phase Soil and Water Management Plan**

67. A comprehensive construction phase soil and water management plan must be prepared for the concurrent excavations and below ground construction. This plan must consider how the site will be managed. It must focus on the protection of environment, existing infrastructure and human safety by addressing the following issues:

- i) Erosion and sediment control devices are to be installed prior to the commencement of 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.

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

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

**Reason:** Environmental protection.

**Retaining Walls**

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

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

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

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

**Sydney Water Tap In**

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

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

The Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

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

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

***Dial Before You Dig Service***

70. 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.

***Basement Carpark and Subsurface Drainage***

71. The basement stormwater pump-out system, must be designed and constructed to include the following:
- 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.
  - A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
    - The permissible site discharge (PSD) rate; or
    - The rate of inflow for the one hour, 5 year ARI storm event.
  - 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.
  - A 100 mm freeboard to all parking spaces than the above-mentioned holding table..
  - Submission of full hydraulic details and pump manufacturers specifications.
  - 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.

***Collection and Discharge of Dirty Water from Car Wash Bay***

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

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

***Driveway Surface to Match Existing Footpath Level***

73. The driveway within the property shall be designed and constructed to match the surface levels with that of existing footpath within the property frontage and that joints are smooth, and no part of the concrete protrudes out. To prevent street stormwater spilling into the property through the driveway, the driveway surface should be graded such that it rises upward from kerb & gutter

with the crest across the driveway at the property line, which should be at least 150mm higher than the top of kerb.

**Reason:** To provide suitable vehicle access and smooth junction.

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

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

***Exhaust Fumes***

75. All mechanical exhaust ventilation from the car park is to be ventilated at roof or podium level, 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 the relevant application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

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

***Impact on Existing Utility Installations***

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

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

***Support for Council Roads, Footpath, Drainage Reserve***

77. Council property adjoining the construction site must be fully supported at all times during all 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 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 must accompany the relevant 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.

**Environmental Health**

***Acoustic Report***

78. Prior to the issue of the relevant Construction Certificate, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the following report are reflected in the construction drawings:

- ***Development Assessment Acoustic Report (Document Reference: 20180291.1/2603A/R0/TA)*** prepared by ***Acoustic Logic*** dated ***26/03/2018***;
- ***Construction Noise and Vibration Management Plan (Document Reference: 20161720.1/1712A/R0/MF)*** prepared by ***Acoustic Logic*** dated ***17/12/2016***.

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

***Construction Noise Management Plan***

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

community during the construction of the development.

The Construction Noise Management Plan must include:

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

**Reason:** To prevent loss of amenity to the area.

***Waste and Recycling Storage Facilities***

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

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

***Separation of Waste***

81. Separate waste processing and storage facilities are to be provided for residential and commercial tenants in mixed use developments. These facilities should be designed and located so that they cannot be accessed by the public and are accessible by a private waste contractor or Council waste contractor for collection.

A caretaker is to be appointed by the managing body to be responsible for the management of all waste facilities as indicated in the Waste Management Plan.

**Reason:** To ensure waste is adequately separated and managed in mixed use developments.

***Waste Storage Visibility***

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

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

***Appoint Waste Contractor***

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

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

***Garbage Chutes***

84. The garbage chutes must be designed in accordance with the requirements of the Building Code of Australia and the Department of Environment and Climate Change Better Practice Guide for Waste Management in Multi-Unit Dwellings. Details are to be provided on the plans and documentation accompanying the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

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

***Waste Storage Rooms***

85. Storage rooms for waste and recyclables are to be provided within the development as indicated on the approved plans, and shall be constructed to comply with the following provisions:

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

- ii) The floor being graded and drained to an approved drainage outlet connected to the sewer, and having a smooth, even surface, coved at all intersections with walls;
- iii) The walls being cement rendered to a smooth, even surface and coved at all intersections;
- iv) Cold water being provided in the room, with the outlet located in a position so that it cannot be damaged, and a hose fitted with a nozzle being connected to the outlet.
- v) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Details shall be indicated on the plans submitted with the relevant Construction Certificate application that demonstrate compliance with these requirements to the satisfaction of the Principal Certifying Authority.

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

### **Waste Management**

86. Prior to issue of the relevant Construction Certificate the Principal Certifying Authority is to be satisfied that the following elements of the approved Waste Management Plan will be implemented:

- a) The garbage (chute) rooms and waste storage rooms at the ground level must include water or a hose for cleaning, graded floors with drainage to sewer, a robust door, sealed and impervious surface, adequate lighting and ventilation, and must be lockable. The sizing of such rooms must be in accordance with the approved Waste Management Plan.
- b) A report(s) must be prepared and certified by a traffic engineer and submitted to the Principal Certifying Authority prior to the issue of the Subdivision/Occupation Certificate, certifying that the finished access way (including ramp, loading bay and site entry/exit) to be used by waste collection vehicles, complies with Australian Standard AS2890.2-2002 Parking Facilities Part 2: Off-street Commercial Vehicle Facilities for large rigid vehicles.
- c) The bin carting routes must be devoid of any steps. Note: Ramps between different levels are acceptable.
- d) "No Parking" signs must be installed to prevent cars parking in the loading bay.
- e) The **4.5** metre vertical clearance height within the truck travel path must not be reduced by ducting, lights, pipes, roller doors or anything else.
- f) Access to the automatic waste volume handling equipment by unauthorised persons (including residents and waste collectors) must be prevented.

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

### **Outdoor Lighting**

87. All outdoor lighting and lighting of publicly accessible spaces must comply with the relevant provisions of AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting, and with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting, and designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill.

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

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

## **Public Domain**

### **Public Domain Construction Drawings**

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

- All frontages of the development site between the gutter and building line, including footpath, drainage, forecourt, front setback;
- Any publicly accessible areas; and
- Any works in carriageway.

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

- The latest City of Parramatta Public Domain Guidelines (PDG);
- The approved Landscape Plan drawings prepared by Urbis dated 17 December 2018
- The approved Architectural Plans
- The conditions listed in this consent; and
- Any additional advice offered by Service Manager DTSU.

The applicant is to engage with the Transport for NSW Parramatta Light Rail to take into consideration any changes to the public footway or drainage conditions that may be necessitated by that project.

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

#### ***Footway Specifications***

89. Notwithstanding the approved Public Domain Drawings and Public Domain Alignment Drawings, the following requirements shall be included in the Public Domain Construction Drawings:

#### Coordination of Design

Grading of the pedestrian footway:

- Detailed design spot levels and designed contour lines are required. Ensure no sudden change in levels, all level changes to be gradual.
- Localised flattening of public footpath levels at building doorways is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line and or within the building.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Supervisor – Civil Assets. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.

#### Footpath

The standard 'City Centre Paving' concrete paver, as per the PDG, **Pebblecrete, product PPX:544:35D, 300x300x60mm**, with **honed finish** shall be applied to the entire public domain areas in **George Street and Charles Street** to the full length of the development site. This includes the public footway and any setback between the building/podium line and property boundary. For unit paving, the footpath paving set out and details must comply with Council's design standard (DS40, sheet 1-3).

And

The standard 'City Centre Paving' **Adelaide Black granite pavers**, as per the PDG, with **exfoliated finish** shall be applied to the entire public domain areas in George Street to the full length of the development site. This includes the public footway and any setback between the building/podium line and property boundary. The footpath paving set out and details must comply with Council's design standard (DS45).

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

#### Kerb Ramps

Kerb ramps must be designed and located in accordance with Council's design standards (DS40 sheet 1-3), using Pebblecrete, product PPX:544:35D, 300x300x60mm, shot blast finish.

Ramps are to be aimed to the ramp on the opposite side of the road.

#### Vehicle Crossing

Council's standard vehicle crossing is to be provided at new and reinstated vehicle crossings. Refer Council's design standard (DS40 sheet 1-3), using **Pebblecrete, product PPX:544:35D, 150x150x60mm, honed finish for vehicle crossing.**

#### Pit Lids

All Pit lids in paved areas of the public domain should be level with the paving around and aligned with the paving pattern. Joints should be coordinated where possible. Where allowed by the service providers, the pit lids should be infilled with the surrounding paving material.

#### Tactile Indicators (TGSIs)

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

TGSI's must comply as follows.

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

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

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

#### Sealant

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

#### Non-slip surface

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

#### Lighting

Pedestrian and street lighting shall be to Council's requirements and Australian Standards. All the lighting features, pole types and light levels, in the public domain shall be as per the Public Domain Guidelines and to be detailed in the Public Domain Construction Documentation including a lighting design prepared by lighting designer / engineer. All new LED luminaires shall include 7pin NEMA socket.

#### Steps

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



- Equal height risers of 115-190mm, and equal width treads of 275-300mm.
- Level landing areas at the top and base of steps.
- The first riser at least 900mm from the property boundary
- Opaque risers
- Compliant contrast nosings for full stair width
- Non-slip surfaces in wet and dry conditions

#### Handrails

Handrails must comply with the Building Code of Australia

#### Ramps

Ramps should preferably be graded walkways no steeper than 1:20, otherwise must comply as follows:

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

#### Multi-media conduit

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

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

**Reason:** To comply with the Public Domain Guidelines and Council's standard details.

#### ***Street Tree Specifications***

90. Notwithstanding the approved public domain drawings, required street tree species, quantities and supply stocks are:

Street Name	Botanical Name	Common name	Pot Size	Qty	Average Spacing
George St	<i>Platanus orientalis</i> "Digitata"	Cut-leaf plane tree	Min 200 lt	As per approved drawings or as directed by Service manager DTsU	
Charles St	<i>Platanus orientalis</i> "Digitata"	Cut-leaf plane tree	Min 200 lt		

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

The tree supply stock shall comply with the guidance given in publication *Specifying Trees: a guide to assessment of tree quality* by Ross Clark (NATSPEC, 2003). The requirements for height, calliper and branch clearance for street trees are as below table:

Consistent tree pit size and construction is to be used throughout the public domain areas around the site for the street tree planting. The street tree must be planted in accordance with Council's design standard (**CoP\_Street tree planting in StrataVault with 1500x1500mm Grate**) with adequate clearances to other street elements and building awning in accordance with the Public Domain Guidelines, see said detail.

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

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

Notwithstanding the approved Landscape DA concept drawings final approval of plant species selection for the project will be provided according to the detailed design work and plant schedules prepared by the applicant for the Public Domain Construction Drawing submission. Commentary about proposed species by council officers can be arranged as required.

Trees and all planted areas must be provided with the required soil volumes and depths as follows:

- Trees located in deep soil – in accordance with the Public Domain Guidelines (refer Table 5.1). Street trees will use **Tree Size – Large** requirements
- Any planting on bedrock or podium slabs and any planters – Apartment Design Guide (refer Section 4P, Table 5).

Calculations demonstrating soil volume compliance are to be included in the Public Domain Construction Drawings. Soil depth calculations are to be based on a maximum depth of 1m excluding any drainage layers.

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

Landscape details for the treatment of green walls fronting the public domain that ensure easy replacement of individual plants are to be provided. Details of growing medium to ensure the establishment and long-term success of the green wall are to be provided. Irrigation of the green wall is to be provided. An automatic irrigation system shall be set up for the green wall that does not impact negatively on the public domain ensuring that excess water will not travel over the footway causing a slippery surface. The Public Domain Construction Drawings must include the full performance specifications for the installation and operation of the green walls.

**Reason:** To provide best conditions to achieve healthy, thriving, long-lived trees in the public and private domain.

#### ***Tree Specifications***

91. Trees in deep soil, if any, are not to be planted closer than 3m to building or structure, see Parramatta DCP 5.4 Preservation of Trees and Vegetation. Particular attention should be applied to the planting detail of trees in deep soil, if any, adjacent to Harrisford House and retaining walls.

To maximise the usable public domain/ground surface, trees should not be in raised planters but be flush with the finished pavement levels using set down slab. Where multiple trees are located in close proximity to one another, ie the George St to river front through site link, tree pits should be linked to form a single growing environment to maximise soil volume and tree root spread.

Notwithstanding the City Centre DCP requirement for awnings to the Charles St and George St frontage of this site, the applicant should demonstrate using a 1:20 scale section why street trees cannot be provided: min distance between facade of awning and centreline of tree trunk is 1m. This requirement can be reconsidered by Council subject to onsite conditions.)

**Reason:** To increase street tree planting opportunity that mitigates urban heat build-up and to improved overall public amenity.

### ***Universal Access***

92. All the common open space areas proposed within the site, podium terrace, shall be fully accessible.

Drainage grates on an accessible path of travel and within common areas, are to have slots or circular openings with a maximum width of 13mm. Slots are to be laid with the long dimension at right angles to the paths of travel.

Details demonstrating compliance are to be submitted to the PCA prior to the issuing of a Construction Certificate and again prior to the issuing of an Occupation Certificate.

**Reason:** To improve accessibility.

## **Sustainability**

### ***ESD Initiatives***

93. Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Principal Certifying Authority:
- (a) Solar shading is to be provided to the façades to an extent no less than shown on the approved architectural plans.
  - (b) A dual reticulation (dual pipe) system is to be installed of sufficient size and capacity to supply all potable and non-potable water uses for the building including single connection point at the boundary of the site for connection to a future recycled water scheme.
  - (c) Rainwater collection and reuse is to be installed and suitably sized to serve toilets, urinals and cooling towers.
  - (d) LED lighting must be provided throughout the building, including carpark and exterior lighting.
  - (e) 95% of all timber is used on the project is to be FSC Certified under the Forest Stewardship Council certification system.
  - (f) Limit the use of PVC where practical.
  - (g) All tower lifts must be gearless with regenerative drives. Passenger lifts to have destination control.
  - (h) Water efficient fixtures and fittings must be used throughout the commercial parts of the building. Minimum WELS rating of **4 stars** for toilets, **5 stars** for tapware and '**mid-flow**' (less than 7.5 l/min) for showers are required.
  - (i) Electric Vehicle fast charging is required to be provided to **2** car parking bays distributed proportionately between uses.
  - (j) Installation of a smart waste chute system or dual chute system
  - (k) Facilities for organic waste recycling to be provided in the basement and podium levels The facilities must be sized appropriately to match waste generation rates identified within an expert waste report.
  - (l) Energy, water and waste informatics as identified in a report by an appropriately qualified expert for the benefit of residents and commercial tenants.
  - (m) Smart meters are required to be installed to each unit to monitor water and electricity consumption including an in-home display providing real-time and historic usage data.
  - (n) All glazing within the commercial portion is to meet the requirements of Section J of the NCC and glass selections must be of the minimum practical external solar reflectance.

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

### ***Natural Ventilation***

94. Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Principal Certifying Authority in accordance with the Building Code of Australia; and
- (a) Openable windows off habitable rooms of residential apartments are to be provided with an Effective Open Area equal to not less than 5% of the floor area of the room. Effective Open Area is to be calculated in accordance with the Glossary definition of the NSW Apartment Design Guide. The 5% requirement must be met after taking into account opening restrictors, fly screens, etc.
  - (b) The number and distribution of openable windows is to be not less than shown on the architectural drawings hereby approved.
  - (c) Corner or cross-through units (i.e. units with at least 2 elevations facing in different directions)

- are to have at least 1 operable window on each elevation to provide for additional cross ventilation (ability to purge hot air).
- (d) All balconies are to be provided with a permanent opening to outside of not less than 25% of the external façade area of the balcony.
- Reason:** To ensure natural ventilation and natural cross ventilation objectives of the NSW Apartment Design Guide are achieved.

## Traffic

### ***Car Park Design***

95. Parking spaces and internal access ways are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6.

Any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like must not compromise appropriate manoeuvring and maintain compliance with AS 2890.1, AS2890.2 and AS 2890.6.

Details of compliance are to accompany the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

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

### ***Driveway Grades***

96. 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 relevant application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

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

### ***Bicycle Parking***

97. The bicycle storage areas must be capable of accommodating a minimum of **391** bicycles fixed bicycle rails. The bicycle storage areas and bicycle rails must be designed to meet the requirements of AS 2890.3 – 2015. Details of compliance with this standard are to accompany the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

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

### ***Pedestrian Safety***

98. A splay extending 2m from the driveway edge or mirrors and electronic light signal alerting pedestrians of vehicles leaving the site along the front boundary in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site from **George Street**. The sight lines shall not be compromised by landscaping, signage, fences, walls or display materials.

Sight distances from the proposed vehicular crossing are to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890.

Details are to be illustrated on plans submitted with the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

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

### ***Security Roller Shutters for Basement Car Parking - Operation***

99. An intercom system is to be installed to enable visitor access. The intercom is to be provided at the centre of the driveway on a concrete median separator (not attached on the wall) to the carpark in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.

The intercom must be placed in such a way as to ensure that all vehicles are wholly contained on site before being required to stop.

Details of the system and where it is to be located is to accompany the relevant application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

**Reason:** To ensure visitor car parking is accessible.

***Security Roller Shutters for Basement Car Parking - Location***

100. The control point (gates, roller shutter or boom gate) at the car park entrance is to be located where adequate queuing length between the vehicular control point and the property boundary is provided in accordance to Section 3.4 of the Australian Standard AS 2890.1-2004 to allow free influx of traffic which will not adversely affect traffic or pedestrian flows in the frontage road. Details are to be submitted to the satisfaction of Council's Manager DTSU prior to the issue of the relevant Construction Certificate.

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

***Loading Dock Management Plan***

101. Prior to the issue of the relevant Construction Certificate the applicant must submit a Loading Dock Management Plan to the satisfaction of Council's Traffic Services Manager and the Transport for NSW: Sydney Coordination Office. The Plan must achieve the following requirements:

- All loading and servicing is to be conducted on-site.
- Adequate, provision of loading bays to be provided within the site, generally consistent with the RMS Guide to Traffic Generating Developments (2002).
- All vehicles are to enter and exit the site in a forward direction.
- The applicant should not rely on the kerbside restrictions to conduct their business.
- Loading bay management details including service vehicle movements during peak periods;
- Management of vehicle queuing during incidents within the car park including details of alternate car parking locations; and
- Management of vehicle queuing during malfunction of traffic signals within the car park.

**Reason:** To ensure compliance with the Parramatta DCP 2011 and reduce kerbside stopping reliance.

***Accessible Car Parking***

102. Accessible car parking spaces must be provided as part of the total car parking requirements. These spaces, and access to these spaces, must comply with the BCA, AS2890.6: 'Parking facilities', 'Off-street parking for people with disabilities', AS1428.1: 'Design for access and mobility', 'General requirements for access - New building work' 2001 and 2009, and AS1428.4: 'Design for access and mobility',. Details of compliance are to accompany the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

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

***Visitor Parking***

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

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

***End of Trip Facilities***

104. Detailed layout drawings for the end-of-trip facilities detailed at **basement level 1** on the drawings hereby approved shall be submitted to and approved by the Principal Certifying Authority prior to release of the relevant Construction Certificate. The layout shall include showers, basins/mirrors, benches, drinking water, , power points, and WCs.

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

## Trees and Landscaping

### ***Planting Upon Structure***

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

- (a) Construction details are to be provided by a suitably qualified structural engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens. All raised planting boxes/beds, areas, containing trees must be retained to a minimum soil depth of 800mm.
- (b) Soil volume, soil depth and soil area must meet the prescribed standards in “Apartment Design Guide – tools for improving the design of residential apartment development” (NSW Department of Planning and Environment, 2015). Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and any soil mounding must be certified by a suitably qualified Landscape Architect/Designer.
- (c) A specification (‘Fit-for-purpose’ performance description) for soil type and a maintenance schedule specified by a suitably qualified Landscape Architect, to ensure sufficient nutrient and water availability is achieved.

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

### ***Species replacement***

106. Plans submitted with the construction certificate must illustrate that the approved landscape plan referenced in condition incorporates the following change in plant species. The following species must be replaced:

- (a) The replacement of three (3) x *Lophostemon confertus* ‘Brusbox’ with one (1) x *Magnolia grandiflora* ‘Exmouth’ located within the raised planting structure opposite the Resi Lobby adjacent the Northern boundary. **Reason:** *Unsuitable species for location*
- (b) The replacement of five (5) x *Fraxinus griffithii* ‘Evergreen Ash’ with five (5) x *Syzygium* ‘Pinnacle’ located along the Eastern boundary adjacent the Harrisford House Heritage Item. **Reason:** *To minimise impacts to the Heritage Item*
- (c) The replacement of (3) x *Lophostemon confertus* ‘Brusbox’ with six (6) x *Syzygium* ‘Pinnacle’, located along the Eastern boundary behind the Harrisford House Heritage Item. Trees must be planted outside the canopy dripline of the existing *Schinus molle* (Tree 12) located on the adjoining property. **Reason:** *To minimise impacts to Existing vegetation.*
- (d) The proposed tree species included in the L4 Planting Plan (Drawing No. L502 Revision B dated 28 June 2018) must include a selection from the following native species at a ratio of 1:3:  
*Eleocarpus reticulatus* (Blueberry Ash);  
*Backhousia citriodora* (Lemon Scented Myrtle);  
*Acmena smithii* ‘Minor’ (Lilly Pilly);  
*Waterhousia floribunda* ‘Sweeper’ or  
*Tristaniaopsis laurina* ‘Luscious’ (Water gum);  
Planting densities must comply with conditions of consent.

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

## **Prior to Work Commencing**

### Planning

#### ***Appointment of PCA***

107. 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.

***Enclosure of the Site***

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

**Reason:** To ensure public safety.

***Site Sign***

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

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

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

This condition does not apply where works are being carried.

**Reason:** Statutory requirement.

***Toilet Facilities On Site***

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

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

***Public liability Insurance***

111. 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.

***Footings and Walls Near Boundaries***

112. 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.

#### ***Survey Report***

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

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

### **Engineering**

#### ***Construction Environmental Management System and Plan***

114. The Construction Environmental Management System and Plan (CEMP) prepared at for the demolition and bulk earthworks shall be updated to reflect the construction phase of the development and submitted to, and approved by, Council's Manager DTSU prior to work.

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

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

**Reason:** Environment protection.

#### ***Road Opening Permits***

115. 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.

#### ***Erosion and Sediment Control Measures***

116. Erosion and sediment control measures are to be maintained 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.

#### ***Site Maintenance***

117. 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.

#### ***Special Permits***

118. 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.

#### ***Driveway Crossing Application***

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

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

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

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

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

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

#### ***Existing Damage to Public Infrastructure***

120. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Council of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters, drainage

pits, pipes etc. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of works. Failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs

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

***Reinforced Concrete Pipe Work***

121. Details of the proposed reinforced concrete pipe-work within the adjacent public road reserves shall be submitted to, and approved by, Council's Manager Civil Infrastructure prior to commencement of any work.

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

***Construction Phase Emergency Response Plan***

122. A site construction phase emergency response plan must be prepared, detailing evacuation procedure, storing of construction equipment and any procedures for the protection of the site on the occasion of fire, flood or other emergency event. Details must be submitted for PCA approval prior to works.

**Reason:** To ensure workers are adequately protected.

**Trees and Landscaping**

***Tree Protection as per Arborist Report***

123. The trees identified for protection within the consent shall be protected prior to and during the demolition/construction process in accordance with the Arboricultural Impact Assessment and Tree Protection Plan prepared Jacksons Nature Works dated 28 June 2018 and the conditions of consent.

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

***Pruning/works on tree(s)***

124. Approval is provided to prune Tree No. 12, as identified in the Arborist Report prepared by Jacksons Nature Works dated 28 June 2018, located on the adjoining property, to provide clearances for scaffolding required for development construction works as approved by this consent as follows:

(a) The pruning of any lateral branch overhanging the development site, to provide clearances for scaffolding only, is permitted to a maximum diameter of 50mm, pruned to the nearest growing point or branch collar.

(b) All branches, leaves, timber, stumps, wood chips and the like shall be disposed of in an approved manner.

Note: Incineration and/or the disposal of green waste on any Council land or unauthorised dumping on private property is strictly prohibited.

(c) Chainsaws, circular saws or other mechanical equipment shall not be operated within the following periods:

8.00pm to 7.00am, weekdays

8.00pm to 8.00am, weekends and public holidays

(d) All Tree pruning shall be supervised by an AQF Level 3 qualified Arborist and conform to the provisions of AS 4373 – 2007 "Pruning of amenity trees" and with the Safe Work Australia Guide to managing risks of tree trimming and removal work July 2016.

**Reason:** To ensure the pruning will not adversely affect the tree(s).

***Street Tree Trunk Protection***

125. Trunk and major branch protection shall be installed around the existing street tree (Tree 14) located on the George Street frontage. Trunk and branch protection measures are to be installed and maintained, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 - "Protection of Trees on Development Sites". Details demonstrating compliance is to be submitted to the Principal Certifying Authority.

**Reason:** To ensure adequate protection of existing environmental assets and to maintain public amenity.

## Traffic

### ***Construction Traffic Management Plan***

126. Prior to the commencement of any works on site (excluding exploratory and investigative works), the applicant must submit a Construction Pedestrian and Traffic Management Plan to the satisfaction of Council's Service Manager Traffic & Transport, the Transport for NSW Sydney Coordination Office and the Transport for NSW Parramatta Light Rail Office. The following matters must be specifically addressed in the Plan:

- 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 of locations that will be used for layover for trucks waiting to access the construction site.
- 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;
- Proposed construction hours;
- Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements;
- Construction program that references peak construction activities and proposed construction 'Staging';
- Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
- Cumulative construction impacts of projects in the Parramatta CBD including the Parramatta Light Rail. Should any impacts be identified, the duration of the impacts;
- Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified;

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.

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.

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.

## **During Work**

### **Planning**

#### ***Copy of Development Consent***

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

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

#### ***Materials on Footpath***

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

**Reason:** To ensure pedestrian access.

#### ***Materials on Drainage Line***

- 129. 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.

#### ***Hours of Work and Noise***

- 130. All work (excluding demolition which has separate days and hours outlined elsewhere in this consent), including building and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools, machinery etc.) in connection with the proposed development, must only be carried out between the hours of 7:00am and 6:00pm on Monday to Friday inclusive, and 8:00am to 3pm on Saturday. No work is to be carried out on Sunday or public holidays.

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

Such circumstances where extended hours may be permitted include:

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

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

***Complaints Register***

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

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

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

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

***Compliance with Construction Management Plan***

- 131A. All demolition and construction activities shall be undertaken in accordance with the Construction Management Plan prepared by Karimbla Construction Services (including all relevant appendices) and approved in Condition 1 of this consent.

**Reason:** To ensure the Construction Management Plan is complied with during construction works.

Endeavour Energy

***Electrical Infrastructure Access***

132. Access to the existing electrical infrastructure adjacent and on the site must be maintained at all times. To ensure that supply electricity is available to the community, access to the electrical assets may be required at any time.

**Reason:** To ensure that supply electricity is available to the community in the protection of services.

Engineering

***Erosion & Sediment Control Measures***

133. 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.

***Grated drain at the base of driveway ramp***

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

**Reason:** To minimise risk of basement flooding.

***Damage to Public Infrastructure***

135. 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.

***Construction of a footpath***

136. A footpath is to be constructed in accordance with Council Standard Drawing DS3 in front of the site within the road reserve. Details of the proposed footpath works shall be submitted to and approved by Council's Civil Asset Team prior to commencement of footpath works. All costs are to be borne by the applicant.

**Reason:** To provide pedestrian passage.

***Car Parking & Driveways***

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

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

***Vehicle Egress Signs***

138. 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.

***Nomination of Engineering Works Supervisor***

139. 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.

***Geotechnical Consideration***

140. The recommendations as outlined in the Geotechnical Report titled ***Report on Geotechnical Investigation prepared by Douglas Partners, project no. 86583.00, dated November 2018*** shall be implemented to the satisfaction of the Principal Certifying Authority.

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

**Environmental Health**

***Handled and Disposed of by Licensed Facility***

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

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

***Contaminated waste to licensed EPA landfill***

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

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

***Waste Data Maintained***

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

**Reason:** To confirm waste minimisation objectives are met.

***Dust Control***

144. Dust control measures shall be implemented during all periods of construction to minimise the dust nuisance on surrounding properties.

In this regard, dust minimisation practices must be carried out in accordance with the City of Parramatta Council's Guidelines for Controlling Dust from Construction Sites and Section 126 of the *Protection of the Environment Operations Act 1997*.

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

**Noise/Vibration**

145. 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 construction activities.

**Importation of Clean Fill**

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

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

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

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

**Public Domain**

***Prior to the Commencement of Construction in Public Domain***

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

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

The required inspections include the followings:

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

contractor shall provide Council officers, certification that the trees have been grown in accordance with AS2303:2018 to prove the quality of the tree stock.

- Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

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

As each basement level is constructed provide survey data demonstrating level change is not required at the building/public domain interface as per the approved updated Alignment Drawings.

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 Public Domain Guidelines. Certification is required to be provided with the Occupation Certificate.

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

148. 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 Public Domain Guidelines. Certification is required to be provided with the Occupation Certificate.

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

## Traffic

### ***Occupation of any part of Footpath/Road***

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

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

### ***Oversize Vehicles Using Local Roads***

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

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

## Trees and Landscaping

### ***No removal of trees on public property***

151. 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.

### ***Advanced tree planting***

152. All trees supplied above a 25L container size must be grown in accordance with AS2303:2015 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2015. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

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

### ***Trees with adequate root volume***

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



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

***Material Storage and Trees***

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

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

***No Attachments to Trees***

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

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

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

### **Planning**

***Occupation Certificate***

156. An Occupation Certificate must be issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

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

***Record of Inspections Carried Out***

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

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

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

***BASIX Compliance***

158. Under Clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. **939210M\_05 dated 24.09.2019**, will be complied with prior to occupation.

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

***The Release of Bond(s)***

159. 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.

#### ***SEPP 65 Verification Statement OC Stage***

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

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

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

#### ***Adaptable Dwellings***

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

**Reason:** To ensure the requirements of DCP 2011 have been met.

#### ***Liveable Housing***

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

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

#### ***Certification – Fire Safety***

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

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

#### ***Street Numbering***

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

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

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

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

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

#### ***Street Numbering Display***

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

**Reason:** To assist wayfinding.

#### ***Broadband Access***

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

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

#### ***Provision of Telephone Services***

167. The submission of documentary evidence from the telecommunications provider authorised under the *Telecommunications Act 1997* confirming arrangements have been made for the

provision of telephone services prior to the issue of the relevant occupation certificate.  
**Reason:** To ensure appropriate telephone services are provided.

***Strata Subdivision Certificate***

168. A separate application must be made to Council or the Principal Certifying Authority to obtain approval of the strata plan under section 37 of the Strata Schemes (Freehold Development) Act 1973..

**Reason:** To comply with the *Strata Schemes (Freehold Development) Act 1973*.

***Certification – Artwork***

169. Final documentation including details of fabrication and installation of the public art work, including a maintenance schedule, must be submitted and approved by Council and the art work completed in full and installed to the satisfaction of Council prior to the issue of the final Occupation Certificate.

**Reason:** To comply with Development control requirements.

***Certification - Heritage Interpretation Strategy***

- 169A. The recommendations of the Heritage Interpretation Strategy approved in Condition 38A are to be completed in full to the satisfaction of Council's Group Manager, Development and Traffic Services prior to the issue of the final Occupation Certificate.

**Reason:** To ensure the recommendations of the Heritage Interpretation Strategy are carried out.

***Dual Key Units***

170. A restriction shall be registered on the title of each 'dual-key' unit specifying that these units cannot be further subdivided, cannot be sold to different owners and cannot be rented out as 2 separate units.

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

***Hotel Plan of Management***

171. Prior to the issue of an Occupation Certificate, the applicant shall develop a Serviced Apartment Management Plan which includes the following:

- How amenity impacts on adjoining/nearby residents will be minimised;
- How complaints will be logged and resolved;
- Details of how guest arrival by private vehicle will be minimised (i.e. How public transport will be promoted to guests);

Details demonstrating compliance shall be submitted to the satisfaction of the Principal Certifying Authority. A copy of the plan shall be submitted to Council.

**Reason:** To ensure that residents have access to communal facilities.

***Provision of Electricity Services***

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

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

***Energy Star Ratings***

173. Prior to the issue of the relevant occupation certificate for dwellings the Principal Certifying Authority is to ensure that all Fridges, Clothes Washers, Clothes Driers, Dishwashers and Air Conditioners are as required by the BASIX certificate.

**Reason:** To ensure the Environmental Sustainability Commitments are met.

**Design Excellence**

***Design Jury Review***

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

**Reason:** To ensure the proposal achieves design excellence.

## Engineering

### ***Reinstatement of Laybacks***

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

**Reason:** To provide satisfactory drainage.

### ***Section 73 Certificate***

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

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

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

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

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

### ***Flood Evacuation Management Plan***

177. A Flood Evacuation Management Plan (FEMP) shall be prepared by an appropriately qualified 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). The FEMP shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. A copy of the FEMP shall be attached to the Occupation Certificate when forwarded to Council. A copy of the FEMP shall be kept on site at all times and distributed to all owners and operators.

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

### ***Work-as-Executed Plan***

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

- a. The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- b. The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- c. The "As-built" On-Site Detention (OSD) storage volumes are to be presented in a tabular form using the pyramid volume and prismatic volume calculation method.
- d. OSD WAE Survey certification form and WAE dimensions form (Form B10 and attachment B. Refer to UPRCT Handbook).
- e. Certificate of Hydraulic Compliance (Form B11) from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.

- f. Structural Engineer's Certificate for the OSD tank structure, basement pump out tank structure, OSD basin (retaining) wall etc.

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

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

***OSD Positive Covenant/Restriction***

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

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

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

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

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

***Positive Covenant for Water Treatment Devices***

180. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the use of land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement to maintain the stormwater management facilities and water sensitive urban design stormwater facilities installed on the lot. The positive covenant and Restriction on the use of land shall be created only upon completion of the system and certification by a qualified practicing engineer to the satisfaction of the Principal Certifying Authority.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through 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 stormwater management facilities, including its relationship to the building footprint.

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

**Note:** The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW. Documents relating proof of completion of the stormwater system according to the approved stormwater plan and certification of the compliance shall be submitted to the council together with the positive covenant and restriction.

**Reason:** To ensure maintenance of stormwater management facilities.

***DENSC - Restriction for maintenance of flood proofing measures***

181. A restriction on the use of land and a positive covenant must be placed on the title of the property for the maintenance of all flood-proofing measures, including flood gates and flood doors. This must be completed to the satisfaction of Council's Team Leader Technical Specialists prior to release of the final Occupation Certificate.

**Reason:** To ensure that flood proofing measures are maintained in optimal operational condition.

***Post-Construction Dilapidation Report***

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

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

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

***All Works/Methods/Procedures/Control Measures***

183. 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 the City of Parramatta, stating that all works/methods/procedures/control measures/recommendations approved by Council in the specialist reports listed in Condition 1 have been implemented.

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

**Environmental Health**

***Commencement of Waste Collection Services***

184. Prior to the issue of any Occupation Certificate, evidence that a waste collection service contractor has been engaged to service the relevant uses on site shall be submitted to the satisfaction of the PCA.

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

***Waste Storage Rooms***

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

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

***Waste Room Positive Covenant/Restriction***

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

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

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

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

***Final Waste Inspection***

187. Prior to issue of the Occupation Certificate, a final inspection of the waste storage areas and facilities must be undertaken by a member of Council's Waste Team to ensure compliance and to discuss the necessary arrangements for bin supply and commencement of services.

**Reason:** To ensure appropriate waste services are provided to occupants.

**Public Domain**

***Public Domain Works-as-Executed***

188. Prior to **the issue** of the relevant public domain Occupation Certificate the works outlined in the

approved Public Domain Construction Drawings must be completed to Council's satisfaction with a **final approval** obtained from Council's Assets & Environment Manager.

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

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

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

A 2 year (104 week) maintenance and defects period is required for any public domain works that include WSUD devices, including bio-retention tree pit, rain garden, swale etc., to be carried out by the developer following final OC approval of the public domain works by Council Officers.

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

## Traffic

### ***Car Share***

189. The Applicant shall provide written evidence to Council's DTSU Manager, prior to release of the final Occupation Certificate, demonstrating that at least 2 car share spaces have been offered to all car share providers operating in the greater Sydney area together with the outcome of the offers or a letter of commitment to the service if an operator has not been secured.

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

### ***Green Travel Plan***

190. A Green Travel Plan is to be submitted to and approved by Council's Manager DTSU, prior to the issue of the relevant Occupation Certificate(s)

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

**Reason:** To discourage trips by private vehicle.

## Trees and Landscaping

### ***Tree Planting Container Size***

191. All trees supplied above a 25L container size must be grown in accordance with AS2303:2015 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2015. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

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

### ***Landscape Certification***

192. A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works must be completed prior to the issue of an Occupation Certificate.

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

## **Operational Conditions - The Use of the Site**

### **Planning**

#### ***First Use***

193. A development application must be submitted for the first use of the proposed retail spaces, gymnasium, and child care centre.

**Reason:** To ensure the use is operated in accordance with the application.

#### ***Ancillary Use Only***

194. The 'MSA Gym' is to operate as ancillary uses to the approved serviced apartment use (i.e. not be run by a separate operator, not be advertised as separate uses, used primarily by hotel guests) unless otherwise approved by Council.

**Reason:** To ensure the use is operated in accordance with the application.

#### ***Separate Approval for Public Entertainment***

195. Any use of the premises as a Place of Public Entertainment requires separate approval from Council.

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

#### ***Servicing Hours***

196. Commercial deliveries/servicing shall not occur between the hours of 10pm and 6am daily unless otherwise approved by Council.

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

#### ***Graffiti Management***

197. 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.

#### ***Signage Consent***

198. No advertisement or signage shall be erected on, or in conjunction with the development without prior consent. No digital displays are to be installed behind the shop display or otherwise.

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

#### ***Ground Level Appearance***

199. Roller shutters are not to be placed over any external door or window of the premises.

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

#### ***Goods Not to be Displayed Outside Premises***

200. No goods are to be stored/displayed outside the walls of the building.

**Reason:** To ensure visual amenity.

#### ***Compliance with Operational Management Plan***

- 200A. All non-residential uses shall comply with the Operational Management Plan prepared by Acoustic Logic (Appendix 2 of the Construction Management Plan) and approved in Condition 1 of this consent.

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

### **Environmental Health**

#### ***Offensive Noise/Vibration Restriction***

201. The use of mechanical plant and equipment at the premises not giving rise to:
- (a) transmission of unacceptable vibration to any place of different occupancy
  - (b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source



noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

**Reason:** To prevent loss of amenity to the area.

***Patron Noise Control***

202. The proprietors of the venue shall be responsible at all times for the orderly dispersal of patrons from the venue.

**Reason:** To protect the amenity of the surrounding neighbourhood.

***No Live Music***

203. No live music or entertainment shall be provided within the premises unless otherwise approved by Council.

**Reason:** To protect the amenity of the surround neighbourhood.

***Noise from Mechanical Equipment***

204. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

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

***Noise to Street***

205. There are to be no external speakers or spruiking at the premises.

**Reason:** To prevent loss of amenity to the area.

***Putrescible Waste***

206. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

**Reason:** To ensure provision of adequate waste disposal arrangements.

***Waste Collection***

207. All waste collection must occur on site (i.e. off-street).

**Reason:** To minimise impact on the road network.

***Maintenance of Waste Storage Areas***

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

**Reason:** To ensure the ongoing management of waste storage areas.

***Waste Storage***

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

**Reason:** To ensure waste is adequately stored within the premises.

***Hazardous Materials Disposal***

210. To reduce the risk of pollution to natural water courses all hazardous waste materials are to be stored, used and disposed in accordance with plans, detail and recommendations in the **Operational Waste Management Plan, revision B, prepared by Elephants Foot dated 5/07/2018.**

**Reason:** To ensure that any liquid spills can be contained on site and prevent the contamination of stormwater drains.

***Liquid and Solid Wastes***

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

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

***Trade Waste***

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

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

***Waste Storage Area and Waste Management***

213. The waste management on site must be in accordance with the following requirements:
- a) Site security measures implemented on the property, including electronic gates, must not prevent access to the bin room/collection point by waste removal services.
  - b) Site security measures be implemented to prevent access to the waste volume handling equipment by unauthorised persons including residents.
  - c) A site caretaker must be employed and be responsible for moving bins where and when necessary, washing bins and maintaining waste storage areas, ensuring the chute system and related devices are maintained in effective and efficient working order, arranging the prompt removal of dumped rubbish, and ensuring all residents are informed of the use of the waste management system (including clear labelling on each floor).
  - d) Council and/or its contractors must be issued with security access swipe cards/keys to access the nominated loading dock prior to the commencement of service.

**Reason:** To ensure provision of adequate waste disposal arrangements.

**Public Domain**

***Maintenance of Public Domain Works***

214. A two-year (104 weeks) maintenance period, from the date of issue of the final Occupation Certificate, is required to be carried out by the applicant for all the works constructed in the public domain.

A Landscape maintenance schedule prepared by a qualified Landscape Architect shall be submitted to Council, prior to the issue of the final Occupation Certificate, that specifies after Council's final approval who and how to maintain the public domain works during the 104 weeks.

**Reason:** To ensure the required public domain improvements are maintained.

**Traffic**

***Green Travel Plan***

215. The Green Travel Plan, required by these conditions, shall be displayed at all times through the communal residential and commercial areas of the building.

**Reason:** To discourage trips by private vehicle.

***Car Share***

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

Any car share space(s) are to be provided within the basement. The car share space(s) shall be accessible to the public at all times.

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

***Loading Dock Management***

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

**Reason:** To ensure the efficient servicing of the site.

***Direction of Travel***

218. All vehicles are to enter and exit the site in a forward direction.

**Reason:** To ensure the safety of pedestrians and road users.

## Trees and Landscaping

### ***Maintenance of Site Works***

219. All landscape works shall be maintained for a minimum period of two ) years following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions  
**Reason:** To ensure restoration of environmental amenity.

## **ADVISORY NOTES**

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act 1979* Environmental Planning and Assessment Regulation 2000, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

- Sydney Metro is Australia's biggest public transport project. This new standalone railway will deliver 31 metro stations and more than 66 kilometres of new metro rail, revolutionising the way Australia's biggest city travels. The Sydney Metro West project is Sydney's next big railway infrastructure investment. It will deliver a direct connection between the CBDs of Parramatta and Sydney. Transport for NSW has commenced early planning work for Sydney Metro West, including the optimum location for a station at Parramatta. Opportunities for community and industry engagement will progress in the first half of 2018. This engagement will seek community input and feedback on station locations, and industry input on how to build the project and how we can share value created around the corridor. The Sydney Metro Delivery Office is currently liaising with Parramatta City Council and is available to discuss any potential implications associated with development proposals.  
<https://www.sydneymetro.info/west/project-overview>
- The construction of this development may require the use of cranes.
- Condition No. 118 references that approval may be required under Section 138 of the Roads Act 1993. This is regarding approval to store or place on/in Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the Roads Act 1993.
- In addition, the following approvals may also be required:
  - Approval under Section 68 – Part E(1) of Local Government Act 1993. This is regarding approval to swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.
  - Owners consent from any land owners regarding approval to swing or hoist goods across or over any part of privately owned land. Any application for approval under Section 68 – Part E(1) that also requires the crane to swing or hoist goods across or over any part of privately owned land MUST be accompanied by consent from the owners of the impacted privately owned land.