



**SYDNEY CENTRAL CITY PLANNING PANEL
COUNCIL ASSESSMENT REPORT**

Panel reference	PPSSCC-239
DA number	DA/249/2021
Proposed development	Construction of a mixed use building comprising 546 residential apartments; 8 retail tenancies; a 75 place childcare facility; a community facility; associated parking, landscaping and public domain works and subdivision to create a new lot for the purposes of securing the corridor for Parramatta Light Rail Stage 2.
Property	Lots 5, 8 and 9 DP 1228764 4 – 8 Uhrig Road, LIDCOMBE
Applicant	Karimbla Constructions Services (NSW) Pty Ltd
Owner	Karimbla Properties (No. 51) Pty Ltd
Date of lodgement	2 April 2021. Amended information received: <ul style="list-style-type: none"> • 16 August 2021 • 20 August 2021 • 30 August 2021 • 8, 9 13,14 and 15 September 2021
Submissions	Seven
Regionally significant development criteria SEPP (SRD) 2011	General development with a CIV of more than \$30 million
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979 • Environmental Planning and Assessment Regulation 2000 • SEPP (State and Regional Development) 2011 • SEPP (Infrastructure) 2007 • SEPP No. 55 – Remediation of Land • SEPP No. 65 – Design Quality of Residential Apartments • SEPP (Building Sustainability Index: BASIX) 2004 • SEPP (Educational Establishment & Childcare Facilities) 2017 • SREP (Sydney Harbour Catchment) 2005 • Auburn Local Environmental Plan 2010 • Carter Street Precinct Development Framework 2020
Documents submitted with this report	Attachment 1 - Selected Architectural drawings Attachment 2 - Selected Landscape drawings Attachment 3 - Concurrence from TfNSW Attachment 4 - Contested conditions Attachment 5 - Satisfactory Arrangements Certificate
Recommendation	Approval subject to conditions
Report prepared by	Brad Roeleven – Executive Planner

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	Yes
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Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?	Yes
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Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6) has been received, has it been attached to the assessment report?	N/A
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Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (s7.24 of the EPAA)?	No
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Conditions

Have draft conditions been provided to the applicant for comment?	Yes
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1. Executive summary

The report considers a proposal to construct a mixed use building comprising 546 residential apartments; 8 retail tenancies; a 75 place childcare facility; a community facility; associated parking, landscaping and public domain works and subdivision to a new lot to be dedicated for the purposes of securing the corridor for Parramatta Light Rail Stage 2.

The key site constraints to be considered are:

- The need to secure land required for Stage 2 of Parramatta Light Rail.
- Noise impacts from the nearby Olympic precinct
- Site topography
- Nearby gas pipelines

Key design constraints to be addressed are:

- Achieving suitable amenity for residents of this high density locality
- Satisfactorily integrating all proposed land uses into a cohesive and functional design which responds to its setting and context
- Resolving the concerns of the Design Excellence Advisory Panel

Key provisions of relevant legislation of which the consent authority must be satisfied are:

- Consideration of Carter Street Precinct Development Framework (ALEP 2010 - clause 7.1)
- Satisfaction of Design Excellence qualitative criteria (ALEP 2010 – clause 7.2)
- Concurrence from TfNSW (ALEP 2010 - clause 7.3)
- Provision of active street frontages (ALEP 2010 – clause 7.4)
- Residential parking not to exceed prescribed maximums (ALEP 2010 – clause 7.5)
- Provision of state public infrastructure (ALEP 2010 clause 7.11)
- Advice from the electricity supply authority (ISEPP – clause 45)
- Advice from TfNSW regarding traffic generating development (ISPEPP clause 104)

Those constraints have been satisfactorily addressed, and the legislative obligations have been met.

More broadly, the application has been assessed relative to section 4.15 of the Environmental

Planning and Assessment Act 1979, taking into consideration relevant State and local planning controls. On balance, the proposal has properly responded to the objectives and controls of the relevant statutory planning framework.

This report therefore recommends that the Panel approve the application subject to the conditions at **Attachment B**.

2. Appeal to Land and Environment Court

On 1 July 2021 the applicant commenced Class 1 proceedings in the Land and Environment Court (LEC) by appealing against the “deemed refusal” of this application.

Council agreed to the appeal being based upon amended plans and supporting technical documents which were in the process of being prepared by the applicant to respond to the comprehensive ‘request for further information’ letter issued by Council on 18 June 2021.

Following a Notice of Motion on 13 August 2021 the Court Ordered that:

- All amended plans and reports must be provided to Council by 27 August 2021
- Council’s Statement of Facts and Contentions must be filed by 23 September 2021
- The applicant’s Statement in reply must be filed by 7 October 2021
- The parties are to meet on a ‘without prejudice’ basis on 1 October 2021
- No date for a hearing has been set.

Assessment of the revised plans and supporting technical documents is now complete and the matters of concern have either been resolved or are able to be resolved by way of conditions of consent. Accordingly, a decision by the Panel to approve the application would provide the basis to discontinue the Appeal.

3. Carter Street Priority Precinct

3.1 Background and context

The Carter Street Priority Precinct comprises 52 hectares of land, as shown in Figure 1, bounded by Sydney Olympic Park, the M4 Motorway, Haslams Creek and land immediately adjacent to Birnie Avenue. The precinct has historically been used for light industry and warehousing with associated offices. However in 2015 the NSW Government rezoned the precinct for high density residential development, a new village centre and school. Since then, those controls have been the subject of ongoing review as noted at section 3.2 below.



Figure 1 – Carter Street Priority Precinct, subject site marked with red dot

The precinct generally north of Carter Street is undergoing an urban renewal process and steady progression towards a strategic centre envisaged by the new controls. The southern side of Carter Street is characterised by industrial uses and warehouse developments, which are expected to remain in place for the long term, consistent with the new controls.

3.2 Strategic review by the Department of Planning, Industry and Environment

In mid-2017 the DPIE commenced a review of the planning controls for the Carter Street Precinct, in conjunction with its consideration of the Sydney Olympic Park Master Plan 2030. Its purpose was to ensure the controls accommodated changes to the design of a proposed off ramp from the M4 Motorway and Parramatta Light Rail (Stage 2) stop and terminus whilst still ensuring housing, employment and retail services within the Carter Street precinct.

The outcome was a revised Master Plan used to inform amendments to Auburn Local Environmental Plan (LEP) 2010 and Carter Street Precinct Development Control Plan (DCP) 2016. Public exhibition of the draft documents concluded on 26 October 2018.

In January 2019 DPIE undertook a targeted consultation process with landowners and Council to present various 'post exhibition changes' to the exhibited draft controls and indicated the draft instrument would be gazetted prior to the state election in March 2019, however that did not happen.

On 5 September 2019 DPIE advised it was undertaking a further post exhibition review of the draft LEP. A revised draft Master Plan and amendments to ALEP 2010 was eventually placed on exhibition from 31 August 2020 until 28 September 2020. The exhibited package showed the following key standards for the site:

- Zoning: Part B2 Local Centre and part RE1 Public Open Space
- No FSR for that part of the site zoned RE1
- FSR of 3.5:1 for the land zoned B2
- An incentive FSR of 5.16:1 linked to reduced car parking supply
- Building height control of 116m
- Incentive building height control of 144m linked to reduced car parking supply

Those provisions were confirmed when the draft LEP was gazetted on 18 December 2020.

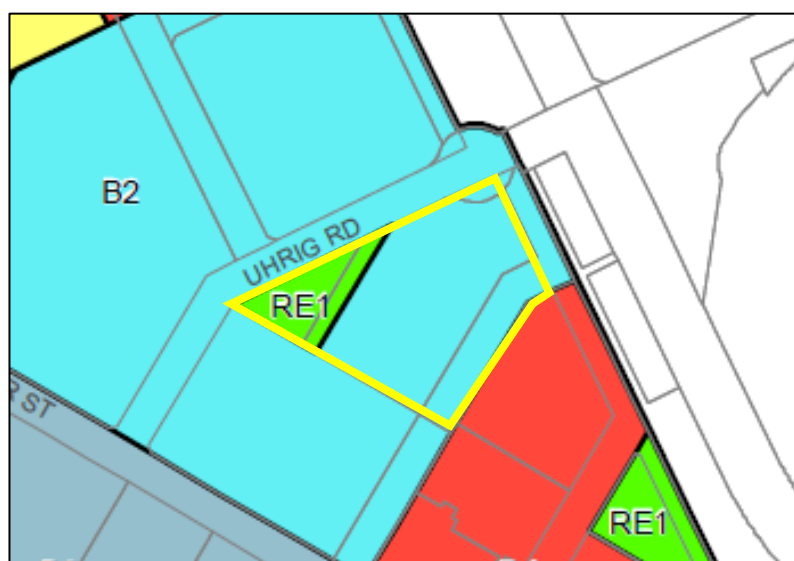


Figure 2: ALEP 2010 zoning map

4. Site description and location

4.1 Site

The site (called 'Phase 3' by the applicant) comprises Lots 5, 8 and 9 DP 1228764, being Nos 4, 6 and 8 Uhrig Road, Lidcombe, as shown in Figure 3. It has an area of about 12,237sqm, comprising 10,843sqm of land zoned B2-Local Centre, and 1,394sqm zoned RE1- Public Open Space.

The site is located on the south-eastern side of Uhrig Road, with an approximate frontage of 170m to Uhrig Road. It falls toward Uhrig Road, with a change in level from approximately 15.5m RL at the north-eastern corner to approximately 9.5m RL at the south-western corner. Vegetation is limited along the Uhrig Road frontage.



Figure 3: Locality plan (subject site outlined in red), 4-8 Uhrig Road

4.2 Site improvements and constraints

The site was previously used for the storage and distribution of goods including shipping containers, communications equipment and chemicals, however development has commenced in accordance with DA/538/2019 - see section 4.3 below.

The site is not a heritage item or within a heritage conservation area, nor is it located within the vicinity of either. It is affected by acid sulfate soils but is not flood liable land.



Figure 4: Street view from Uhrig Road looking north east

4.3 Related applications

This land is subject to a number of prior and current applications as shown below:

DA number	Scope	Status
DA/232/2018	Re-subdivision of 7 lots to create 11 lots, being 4 development lots, plus residual road and open space lots, road construction, stormwater drainage and public domain works. Lot 5 (road lot), lot 8 (development lot) and lot 9 (public open space) are the subject of this proposal.	Approved 5.6.2018
DA/538/2019	Basement excavation, shoring and piling for the proposal the subject of DA 501/2019	Approved 28.2.2020
DA/501/2019	<ul style="list-style-type: none">Construction of a mixed use development with a five storey podium and two towers of 21 and 22 storeys, involving the following uses:<ul style="list-style-type: none">403 residential apartments16 retail tenancies at street levelCentre-based childcare facility558 parking spacesEast-west pedestrian link along southern boundaryAssociated public domain works.	Approved 5.11.2020
DA 33/2021	Construction of basement slabs associated with DA 249/2021	To be withdrawn
DA 34/2021	Excavation, piling and shoring and construction of basement slabs for the building the subject of SDA 249/2021	Under Assessment

5. The proposal

The scheme comprises the following primary elements:

- 546 apartments
- 8 ground floor retail tenancies
- A community centre to meet obligations under a Planning Agreement with the Minister for Planning via DPIE
- A 75 place childcare centre also located at the ground floor
- 589 parking spaces located within the 3 basement levels or otherwise within the podium levels
- Through site link connecting Uhrig Road with Canning Street
- Public plaza adjacent to Uhrig Road
- Associated landscaping, civil and public domain works including embellishment of Canning Street. (the road itself, kerb to kerb, is already approved under DA/232/2018)

The built form comprises a podium element of:

- 3 and 4 storeys to Uhrig Road
- 3 and 4 storeys to Canning Street
- 4 storeys to the pedestrian link
- 3 storeys to Grazier Street (apparent, not a true podium form)

The two towers have the following heights above podium Level 4:

- Tower A: 39 storeys
- Tower B: 38 storeys

The childcare centre is located on the ground floor at the northern end of the site adjacent to Grazier Street. The community facility is also located on the ground floor, adjoining Uhrig Road. All vehicle access is consolidated to a single point on Canning Street.

The application also includes the subdivision of a 7m wide strip of land along Uhrig Road to be dedicated to Council to secure the corridor required for stage 2 of Parramatta Light Rail.



Figure 5: View generally from the intersection of Uhrig Road and Stockyard Boulevard



Figure 6: View from Grazier St



Figure 7: View along Canning St and through site link



Figure 8: View south along Uhrig Road from intersection with Grazier Street

6. Public notification

The application was notified and advertised for 21 days between 4 May 2020 and 25 May 2021. Seven submissions were received, all raising concerns over the scale and impacts of the proposal.

7. Referrals

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

Does Section 1.7 (significant effect on threatened species) apply?	No
Does Section 4.10 (designated development) apply?	No
Does Section 4.46 (integrated development) apply	No
Are submission requirements within the regulation satisfied?	Yes

9. Consideration of SEPPs

Key issues arising from evaluation against SEPPs	None – detailed assessment is provided at Attachment A .
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10. Auburn Local Environmental Plan 2010 (ALEP 2010)

The table below presents a summary assessment against the terms of ALEP 2010. A detailed evaluation is provided at **Attachment A**.

Provision	Comment
Land use zone	<ul style="list-style-type: none"> B2 – Local Centre RE 1 – Public Open Space
Definition	<ul style="list-style-type: none"> Mixed use development Residential apartments (residential accommodation) Retail premises (commercial premises)

	<ul style="list-style-type: none"> • Centre-based childcare facility • Community facility • Subdivision
Part 2 Permitted or prohibited development	<ul style="list-style-type: none"> • Permitted with consent in zone • Consistent with zone objectives
Part 3 Exempt and complying development	<ul style="list-style-type: none"> • Not applicable
Part 4 Principal development standards	<ul style="list-style-type: none"> • Complies with all principal development standards
Part 5 Miscellaneous provisions	<ul style="list-style-type: none"> • All relevant provisions satisfied
Part 6 Additional local provisions	<ul style="list-style-type: none"> • All relevant provisions satisfied

11. Carter Street Precinct Development Framework 2020

The table below presents a summary assessment against the terms of Framework, while a detailed evaluation is provided at **Attachment A**.

Provision	Comment
Part 2 Vision, principles, indicative structure	Generally consistent with the vision statement.
Part 3 Public domain	Satisfactory.
Part 4 Residential/ mixed use development	Limited and minor non-compliances however considered satisfactory on merit.
Part 5 Employment uses	N/A – only applies to land zoned B6 under ALEP 2010
Part 6 Environmental management	Satisfactory.

12. Planning Agreements

The relevant matters are:

- Planning Agreement with the Minister for Planning
- Carter Street Precinct Development Contributions Plan 2016.

All relevant matters have been addressed. A detailed assessment is provided at sections 5.1 and 5.2 of **Attachment A**.

13. Response to Sydney Central City Planning Panel briefing minutes

The Panel was briefed on this application on 12 May 2021. The key issues discussed which relate to the assessment of the application are addressed below:

Issues	Comment
Difference of opinion between the DEAP and the applicant, being primarily with regard to the orientation of northern tower relative to the street alignment	Resolved – refer to section 2.5 in Attachment B
The importance to the Panel of the relationship of the development to the ground plane relates	Resolved – refer to section 2.5 in Attachment B

the podium, its scale, activation, relationship to street alignments and how the towers interrelate with the podium.	
The relationship between the tower orientation and the ability of the northern tower to achieve solar compliance against the ADG.	Resolved – refer to section 2.5 in Attachment B
Approved towers in the context that have the similar orientation to that proposed by the applicant.	Resolved – refer to section 2.5 in Attachment B

14. Summary and conclusion

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

Accordingly, approval of the development application is recommended.

15. Recommendation

That the Sydney Central City Planning Panel, as the Consent Authority:

1. Grant consent, to DA/249/2021 for a mixed use building comprising 546 residential apartments; 8 retail tenancies; a 75 place childcare facility; a community facility; associated parking, landscaping and public domain works and subdivision to a new lot to be dedicated for the purposes of securing the corridor for Parramatta Light Rail Stage 2 at Lots 5, 8 and 9 DP 1228764, being Nos. 4 – 8 Uhrig Road, Lidcombe, subject to the conditions of consent at **Attachment B**.
2. That those persons who made submission be advised of the Panel's decision.

ATTACHMENT A – PLANNING ASSESSMENT

Panel Reference	PPSSCC-239
DA Number	DA/249/2021

1. Overview

1.1 Section 4.15 of the EP&A Act 1979: Evaluation

The relevant matters for consideration under this section of the Act noted in the table below:

Clause	Comment
4.15(1)(a)(i) any environmental planning instrument	Refer to section 2
4.15(1)(a)(ii) any proposed instrument	Refer to section 3
4.15(1)(a)(iii) any development control plan	Refer to section 4
4.15(1)(a)(iiia) any planning agreement	Refer to section 5
4.15(1)(a)(iv) the regulations	Refer to section 6
4.15(1)(b) the likely impacts	Refer to section 7
4.15(1)(c) the suitability of the site	Refer to section 8
4.15(1)(d) any submissions	Refer to section 9
4.15(1)(e) the public interest	Refer to section 9

1.2 Section 4.46 of the EP&A Act 1979: What is “integrated development”?

The application is not integrated development for the purposes of the EP&A Act 1979. The issue of dewatering and the needs for GTAs from WNSW was addressed through related DA 538/2019 for the associated early works.

1.3 Referrals

The following internal and external referrals were undertaken.

Landscape	No objections - conditions provided
Development Engineer	No objections - conditions provided
Traffic	No objections - conditions provided
Environmental Health (Waste)	No objections - conditions provided
Environmental Health (Contamination)	No objections - conditions provided
Environmental Health (Acoustic)	No objections - conditions provided
Urban Design (Public domain)	No objections - conditions provided
Social Outcomes	No objections - conditions provided
Universal Access	No objections - conditions provided
Sustainability	No objections - conditions provided
Quantity Surveyor	Estimated cost accurate
Wind consultant	Issues raised- resolve by conditions
Reflectivity consultant	Issues raised- resolve by conditions
Sydney Olympic Park Authority	No objections - conditions of consent to be imposed,

TfNSW	<ul style="list-style-type: none"> • Concurrence, subject to conditions, provided relating to PLR stage 2 as required by ALEP 2010. • No objections relating to ISEPP considerations subject to conditions.
Sydney Water	No objections - conditions of consent provided.
Ausgrid	No objections - conditions of consent provided.

2. Environmental planning instruments

2.1 Overview

The instruments applicable to this application are:

- SEPP (State and Regional Development) 2011
- SEPP (Infrastructure) 2007
- SEPP No. 55 – Remediation of Land
- SEPP No. 65 – Design Quality of Residential Apartment Development
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SREP (Sydney Harbour Catchment) 2005
- Auburn Local Environmental Plan 2010.

Compliance with these instruments is addressed below.

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

Pursuant to Schedule 7 of SEPP (SRD) 2011, the proposal is considered 'regionally significant development' as it has a capital investment value of more than \$30 million.

As such, Section 4.5 of the EP&A Act 1979 confirms that the regional planning panel (Sydney Central City Planning Panel in this case) is the consent authority.

2.3 State Environmental Planning Policy (Infrastructure) 2007

Clause 45 - Development likely to affect electricity transmission or distribution network

This clause applies to any development:

- Within 5m of an exposed overhead electricity power line
- Involving or requiring the placement of power lines underground
- Or the installation of a pool within 30m of a structure supporting an overhead electricity transmission line

The application was therefore referred to Ausgrid as required. No objections were raised subject to the inclusion of nominated conditions, which are included at **Attachment B**.

Clauses 85, 86 and 87 – Development in or adjacent to rail corridors

Those clauses address the following matters:

Clause 85: Development adjacent to rail corridors
 Clause 86: Excavation below or adjacent to rail corridors
 Clause 87: Impact of rail related noise and vibration

The application of those clauses is potentially triggered by the route of Parramatta Light Rail

Stage 2 which includes a terminus immediately adjacent this site. Transport for NSW (TfNSW) has confirmed however that, at this stage, the State government has only committed funding for the planning and development works of Stage 2 of Parramatta Light Rail (PLR).

Accordingly, the route is not a rail corridor and those clauses do not apply.

Clause 104 - Traffic generating development

Consistent with clause 104 this Policy and Schedule 3 of this Policy (Traffic Generating Development) the application was referred to TfNSW for comment. No objections were raised subject to the inclusion of the conditions provided.

2.4 State Environmental Planning Policy No. 55 – Remediation of Land

Clause 7 of SEPP 55 requires the consent authority to consider if the land is contaminated and, if so, whether it is suitable (or can be made suitable) for a proposed use.

This matter has been addressed and resolved as part of the assessment and approval of DA 501/2019 and 538/2019 as noted at section 4.3 above. Early works on the site under DA/538/2019 have since commenced

This matter is further addressed under current DA/34/2021 (early works for this scheme) which increases excavation to account for an additional basement level not included in DA/501/2019.

Given that, this matter has been properly considered and resolved such that the requirements of clause 7 of this Policy are satisfied.

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

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

- Design Excellence Advisory Panel;
- The 9 SEPP 65 Design Quality Principles; and
- The Apartment Design Guide (ADG).

Design Excellence Advisory Panel (DEAP)

The application has been the subject of particularly scrutiny by DEAP, in the preDA space and multiple times during the DA assessment.

The last review by the Panel identified four key areas which were still unsatisfactory, and which had to be resolved to achieve a suitable response to the ADG design principles and the related “design excellence” provisions of Auburn LEP2010. In summary, those matters were:

1. *The building interface at ground to podium level along the northern end of the site in particular is fundamentally problematic. The ‘landing’ of the building at this point is incongruous with the scale of the building above and incongruous with the level and treatment of the proposed podium for the remainder of the façade. It is unclear whether these issues are a result of the northern tower orientation, but it may be possible to address without re-orientation of the tower. Further refinement of the current podium for the remainder of the façade is also required. This is a prominent development within the area, proposing the tallest towers within the precinct. This elevates the necessity to*

2. *design a high quality streetscape address.*
3. *The development has a substandard address to the street in terms of landscape treatment. Soft and hard landscaping are a key component of design excellence and need to be cohesively integrated into the design language of the development.*
4. *The courtyard associated with the residential lobby and community centre is inadequately resolved and opportunity exists to provide additional access to the centre at this point. The main entry to the centre also requires refinement. Concerns are raised also in respect of the practical use of floor space within the centre given the indicative column locations.*
5. *Some apartment layouts need to be reconsidered to adequately meet entry and furniture layout standards. There are also ADG requirements detailed later in this letter that require resolution.*

The amended plans lodged in mid-August, and which are the subject of this assessment, have since been confirmed by the DEAP as satisfactorily resolving those matters. In that regard DEAP advised:

Overall the design has significantly improved. In relation to the key components addressed by the applicants in the amended plans, the Panel notes as follows:

- *Tower Interfaces*
 - *Western Tower is better as it now relates directly to the plaza and pedestrian link.*
 - *Northern Tower is acceptable on the grounds demonstrated that the orientation achieves 76% solar access compared to 64% for the alternate options 1 and 2. The panel notes however that the alternate options do not take into consideration the potential to change the apartment layouts relative to the orientation of the tower in order to maximise sunlight access for the apartments. The options only show changes to the orientation using the same floorplate in each case. The preferred outcome would be to orientate to the street such as option 2 and to adjust the unit layouts to achieve 70% + solar access and 15% no solar access.*
- *Soft and hard landscaping*
 - *The common open space on the podium generally shows more landscaping taking advantage of the extended podium along Canning Street. The Panel noted that the indoor pool does not appear to have any connection to an outdoor gathering space. The Panel also observed that and that additional soft landscaping adjacent to the south face of the northern tower could be used to provide more seating/relaxing areas.*
- *Residential Lobby and Community Centre*
 - *The pocket park is substantially improved and has a much better relationship with the residential lobby and with the community centre.*
 - *The community centre is satisfactory.*
- *Apartment Layouts*
 - *The entrances to the units are substantially improved and acceptable.*
- *Site Context*
 - *The site context has now been addressed. The improvements to the towers, podium and pocket park provide a better relationship to the surrounding*

context.

- Podium
 - o The extension of the podium relative to Uhrig Road and Canning Street has substantially improved the street interface and now acceptable.
- Day care centre
 - o The landscaping is noted and significantly improved. The boundary with Grazier remains unclear. Opportunities for some interaction with the public domain via landscaping, seating and shading should be considered. If not possible on site then part of the public domain to provide relief to the inactive edge.

In summary The Panel is satisfied with the amended design and would be happy to support it with some minor adjustments such as those mentioned above.

The recommendation to this report includes conditions to respond to the Panel's comments regarding:

- Improvements to the common open space / pool area
- Grazier Street boundary.

Nine design quality principles

Part 4 of the Policy introduces 9 design quality principles. These principles do not generate design solutions, but provides a guide to achieving good design and the means of evaluating the merits of proposed solutions. A response to those design principles, prepared by the project architect, supports the application as required by the Environmental Planning and Assessment Regulation.

The following table provides an assessment of the proposal against those principles having regard to the comments of DEAP and the assessment by Council's officers:

Principle	Comment
Context and neighbourhood character	The locality is transforming to a high density mixed use precinct. The development is consistent with the desired future character prescribed by ALEP 2010 and CSPDCP 2016. The building will contribute to the identity of the area and provide residential accommodation supported by commercial and community uses.
Built form and scale	The form and scale of the development is acceptable given consistency with relevant planning instruments and controls, and response to desired future character of the precinct. The development provides for a podium and tower expression that is appropriately articulated and designed.
Density	The proposed density is consistent with the precinct specific controls outlined in ALEP 2010. The controls were developed by DPIE as noted above at section 3.2 above with regard to the context of the site in terms of infrastructure availability, accessibility of public transport and entertainment and community facilities, and environmental quality.
Sustainability	Energy and water efficiency targets under SEPP (BASIX) 2004 are achieved. The design is consistent with best practice design criteria for cross ventilation and solar access under the ADG. <ul style="list-style-type: none">• Natural ventilation• Solar access• Water efficiency• Energy efficiency
Landscape	Communal open spaces, predominantly the landscaped podium terrace, are appropriately designed and will positively contribute to the residential apartment development

Amenity	Apartment amenity for residents is satisfactory when assessed against the best practice design guidelines identified in the ADG, which supports SEPP 65. The scheme includes communal facilities at podium level for use by residents.
Safety	Appropriate outcomes achieved through the design generally and otherwise by conditions of consent as proposed.
Housing diversity and social interaction	<p>The development provides the following unit mix</p> <p>1 bed = 96 units or 18%</p> <p>2 bed = 285 units or 52%</p> <p>3 bed = 147 units or 27%</p> <p>4 bed = 18 units or 3%</p> <p>The required number of adaptable housing units is provided.</p>
Aesthetics	The composition of building elements and materials is satisfactory, and the application has been supported by DEAP (see below).

Apartment Design Guide (ADG)

Parameter	Design criteria	Proposal/ comment	Compliance
Communal open space	Minimum 25% site area	37% provided (all at podium level)	Yes
	50% direct sunlight for 2 hours between 9am and 3pm on 21 June	<p>Readily complies (4 hrs 52% -62%) based on existing context.</p> <p>Fails (21% - 57% 9am – 2pm) based on future context, being the construction of the approved 30 storey tower opposite at 5 Uhrig Road.</p>	<p>Yes</p> <p>No, but acceptable on merit given impacts of approved development opposite.</p>
Deep soil zone	7% site area minimum dimension 6m	7% provided * minimum dimension achieved	Yes
Building separation	<p>Given podium/tower design of 9 storeys +, the relevant separation distances are:</p> <ul style="list-style-type: none"> 24m between habitable rooms and balconies and 12m between non-habitable rooms. 	Min 24m achieved	Yes
		Minimum 24m achieved	Yes
Parking	Compliance with Guide to Traffic Generating Developments	ALEP prevails	N/A
Solar access	Min 70% of units to achieve 2 hours direct sunlight between 9am and 3pm on 21 June to living rooms and POS	419 units have min 2hr solar access = 77%	Yes
	Maximum 15% of units to receive no sunlight	85 units have no direct solar access = 15.5%	Yes
Cross ventilation	At least 60% of apartments are to be naturally cross ventilated in the first nine storeys	Applicant states 66% compliant	Yes

Ceiling heights	Habitable – 2.7m; Non-habitable – 2.4m	Design allows for 3.1m floor to floor heights which translates to nominated internal ceiling heights	Yes
Apartment size	<ul style="list-style-type: none"> • 1 bed – 50sqm • 2 bed – 70sqm • 3 bed – 90sqm • 4 bed – 102sqm 	<ul style="list-style-type: none"> • 1 bed – 50-62sqm • 2 bed – 71-89sqm • 3 bed – 95-102sqm • 4 bed – 140sqm 	Yes
Room depths	Habitable – 2.5m x ceiling height; in open plan layouts maximum room depth is 8m from a window	Habitable rooms have satisfactory depths.	Yes
Layout	Master bedrooms – minimum 10sqm; other bedrooms – minimum 9sqm; Bedrooms – minimum dimension 3m; Living/dining room minimum widths – <ul style="list-style-type: none"> • Studio and 1 bedroom – 3.6m • 2 and 3 bedroom – 4m 	Master bedroom sizes are larger than 10sqm; Other bedroom sizes are larger than 9sqm; minimum dimensions met. Living room widths are all appropriate.	Yes
POS and balconies	<ul style="list-style-type: none"> • 1 bed – 8sqm, 2m min. depth • 2 bed – 10sqm, 2m min. depth • 3+ bed – 12sqm, 2.4m min. depth. 	All balconies are appropriately designed with regards to size and dimensions	Yes
Common circulation	<ul style="list-style-type: none"> • Maximum 8 units off a circulation core; • Maximum 40 units sharing a single lift 	<u>Western Tower</u> 3 – 7 units <u>Northern Tower</u> 4 - 7 units <u>Western Tower</u> 271 units and 4 lifts = 67 <u>Northern Tower</u> 275 units and 5 lifts = 55	Yes Yes No No However satisfactory on merit based on comprehensive report submitted in support of the application
Storage	<ul style="list-style-type: none"> • 1 bedroom – 6m3 • 2 bedroom – 8m3 • 3+ bedroom – 10m3. 50% storage within unit	Appropriate levels of storage are provided through combination of in-apartment and parking area storage	Yes

**Note: developable area excludes RE1 zoned and, and land for dedication for pedestrian link and road widening*

2.6 State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A NatHERS and BASIX Assessment report and certificates, prepared by Efficient Living, was

submitted in support of the application.

BASIX requires a minimum target of 40% for water, a pass for thermal comfort and a minimum target of 25% for energy. The certificates confirm those targets are met and/or marginally exceeded.

Council's external sustainability consultant has reviewed the report. Appropriate conditions of consent are imposed, requiring compliance with BASIX and associated NatHERS commitments.

2.7 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The application seeks consent for the use, fit-out and operation of a 75 place centre-based childcare facility. Consideration against the terms of this Policy is provided in the following tables:

Specific development controls	Compliance
<i>12 Notification of councils and State Emergency Service – development on flood liable land</i>	
A public authority, or a person acting on behalf of a public authority, must not carry out, on flood liable land...	Yes – site is not flood liable
<i>22 Centre-based child care facility – concurrence of Regulatory Authority required for certain development</i>	
Applies to development for the purpose of a centre-based child care facility if not compliant with: a) indoor unencumbered space requirements, or b) outdoor unencumbered space requirements Concurrence of the Regulatory Authority required.	N/A – Relevant indoor and outdoor play space is provided so concurrence is not required
<i>23 Centre-based child care facility—matters for consideration by consent authorities</i>	
...must take into consideration any applicable provisions of the Child Care Planning Guideline, in relation to the proposed development.	The applicable provisions of the Guideline have been considered, see separate table below.
<i>26 Centre-based child care facility—development control plans</i>	
(1) A provision of a development control plan that specifies a requirement, standard or control in relation to any of the following matters (including by reference to ages, age ratios, groupings, numbers or the like, of children) does not apply to development for the purpose of a centre-based child care facility...	Noted – CSP Development Framework 2020 does not have any controls for centre-based child care facilities, but reverts back to Auburn DCP 2016.

Child Care Planning Guideline August 2017

Requirement	Comment	Compliance
C1 For proposed developments in or adjacent to a residential zone, consider: <ul style="list-style-type: none"> The acoustic and privacy impacts; The setbacks and siting of buildings within the residential context; Traffic and parking impacts of the proposal on residential amenity. 	<ul style="list-style-type: none"> Site adjoins R4. The development is appropriately designed to mitigate acoustic and privacy impacts Traffic and parking are considered satisfactory. 	Yes
C2 When selecting a site, ensure that: <ul style="list-style-type: none"> The location and surrounding uses are compatible with the proposed development or use; The site is environmentally safe; There are no potential environmental contaminants; 	<ul style="list-style-type: none"> Site is appropriately zoned, and development is compatible and complementary to the current and desired direction of the Precinct. The site is free of environmental hazards and will be suitable for the use. The facility is appropriately scaled. 	Yes

<ul style="list-style-type: none"> • The characteristics of the site are suitable for the scale and type of development proposed; • Where the proposal is to occupy or retrofit • There are suitable drop off and pick up areas, and off and on street parking; • The type of adjoining road is appropriate and safe for the proposed use; • It is not located closely to incompatible social activities and uses... 	<ul style="list-style-type: none"> • The facility is proposed, not a retrofit. • Parking, drop-off and pick-up facilities are integrated into the design of the development. • The road network is suitable. • There are no incompatible land uses nearby. 	
C3 A child care facility should be located: <ul style="list-style-type: none"> • Near compatible social uses... • Near or within employment areas, town centres, business centres, shops; • With access to public transport including rail, buses, ferries; and • In areas with pedestrian connectivity to the local community, businesses, shops, services and the like. 	<ul style="list-style-type: none"> • The Precinct is undergoing steady progression towards a strategic centre that delivers a mix of housing, employment and retail services with access to public transport, open space and the entertainment, recreational and cultural precinct of Sydney Olympic Park. • The site is within the town centre of the precinct, and within walking distance of public transport. 	Yes
C4 A child care facility should be located to avoid risks to children, staff or visitors and adverse environmental conditions <ul style="list-style-type: none"> • Any other identified environmental hazard or risk relevant to the site and/ or existing buildings within the site. 	<ul style="list-style-type: none"> • There are no environmental risks to children, staff or visitors (see discussion of pipeline considerations elsewhere in this report). 	Yes
C5 The proposed development should: <ul style="list-style-type: none"> • Contribute to the local area by being designed in character with the locality and existing streetscape; • Reflect predominant form • Recognise streetscape qualities • Include design and architectural treatments that respond to and integrate with the existing streetscape; • Use landscaping to positively contribute to the streetscape and neighbouring amenity; and • Integrate car parking. 	<ul style="list-style-type: none"> • The facility is incorporated into the mixed use development and is thus integrated into the design. • It adopts the predominant form, scale, materials and colours and appears as a seamless component. • Appropriate landscaping is proposed. • Car parking is integrated into the design of the development. 	Yes
C6 Create a threshold with a clear transition between public and private realms	<ul style="list-style-type: none"> • The facility is clearly defined as private. 	Yes
C7 On sites with multiple buildings and/or entries, pedestrian entries and spaces associated with the child care facility should be differentiated to improve legibility for visitors and children by changes in materials, plant species and colours.	<ul style="list-style-type: none"> • A lobby servicing the centre-based childcare facility is located at Uhrig Road; is separated from other uses, is legible and defined 	Yes
C8 Where development adjoins public parks, open space or bushland...	<ul style="list-style-type: none"> • The site adjoins RE1 land, but the centre itself does not. 	N/A
C9 Front fences and walls within the front setback should be constructed of visually permeable materials and treatments.	<ul style="list-style-type: none"> • Boundary treatments are satisfactory 	Yes
C10 High solid acoustic fencing may be used when shielding the facility from noise on classified roads.	<ul style="list-style-type: none"> • Boundary treatments are satisfactory 	Yes
C11 Orient a development on a site and design the building layout to:	<ul style="list-style-type: none"> • Overlooking from lower-level apartments is obscured by awnings and trees. 	Yes

<ul style="list-style-type: none"> • Ensure visual privacy and minimise potential noise and overlooking • Optimise solar access • Avoid overshadowing • Minimise cut and fill • Ensure buildings define the street; • Where located above ground level... 	<ul style="list-style-type: none"> • Orientation and location maximises solar access. • The facility is located at ground level. 	
C12 The following matters may be considered to minimise the impacts of the proposal on local character...	<ul style="list-style-type: none"> • Council's DEAP is satisfied with the location, design, presentation of the centre, and the manner in which it is integrated into the wider project. 	Yes
C13 Where there are no prevailing setback controls minimum setback to a classified road...	<ul style="list-style-type: none"> • The facility is incorporated and integrated into the design of the mixed use development. 	Yes
C14 On land in a residential zone...	<ul style="list-style-type: none"> • Site is zoned B2. 	N/A
C15 The built form of the development should contribute to the character of the local area	<ul style="list-style-type: none"> • The facility is incorporated and integrated into the design of the development and contributes to the character of the Precinct. Council's DEAP is satisfied with the location, design, presentation of the centre, and the manner in which it is integrated into the wider project. 	Yes
C16 Entry to the facility should be limited to one secure point	<ul style="list-style-type: none"> • A single access point from Uhrig Road is proposed, which is legible, accessible, visible, monitored and clearly defined. 	Yes
C17 Accessible design	<ul style="list-style-type: none"> • The accessibility of the entire development is satisfactory. 	Yes
C18 Appropriate planting should be provided along the boundary integrated with fencing.	<ul style="list-style-type: none"> • Large trees in deep soil are provided along the boundary. The landscape treatment is satisfactory 	Yes
C19 Incorporate car parking into the landscape design of the site	<ul style="list-style-type: none"> • Parking is incorporated into the podium and is wholly sleeved by the development. 	Yes
C20 Open balconies in mixed use developments should not overlook facilities nor overhang outdoor play spaces.	<ul style="list-style-type: none"> • There are open balconies along the northern elevation, however overlooking is obscured by awnings below. 	Yes
C21 Minimise direct overlooking of indoor rooms and outdoor play spaces from public areas	<ul style="list-style-type: none"> • The facility has been designed to minimise overlooking through landscaping and design elements. 	Yes
C22 Minimise direct overlooking of adjoining developments	<ul style="list-style-type: none"> • The facility does not overlook adjoining developments. 	Yes
C23 A new development that is located adjacent to residential accommodation should: <ul style="list-style-type: none"> • Provide an acoustic fence; and • Ensure that mechanical plant or equipment is screened 	<ul style="list-style-type: none"> • An acoustic report was submitted with the development, specifying glazing associated noise attenuation requirements • Relevant sections of Council have reviewed the application and raise no objection. 	Yes
C24 A suitably qualified acoustic professional should prepare an acoustic report		Yes
C25 Adopt design solutions to minimise the impacts of noise...		Yes
C26 An acoustic report should identify appropriate noise levels for sleeping areas	<ul style="list-style-type: none"> • Addressed by conditions 	Yes

and other non-play areas and examine impacts and noise attenuation measures where...		
C27 Locate child care facilities on sites which avoid or minimise the potential impact of external sources of air pollution such as major roads and industrial development.	<ul style="list-style-type: none"> The site is not located where air pollution is expected to occur. 	N/A
C28 A suitably qualified air quality professional should prepare an air quality assessment report to demonstrate that proposed child care facilities close to major roads or industrial developments...	<ul style="list-style-type: none"> The site is not located where air pollution is expected to occur. 	N/A
C29 Hours of operation within areas...	<ul style="list-style-type: none"> Addressed by conditions 	Yes
C30 Within mixed use areas or predominantly commercial areas, the hours of operation for each child care facility should be assessed with respect to its compatibility with adjoining and co-located land uses.		Noted
C31 Off street car parking should be provided at the rates for child care facilities specified in a Development Control Plan that applies to the land.	<ul style="list-style-type: none"> 20 car spaces are provided, in accordance with ADCP 2010. 	Yes
C32 In commercial or industrial zones and mixed use developments, on street parking may only be considered where...	<ul style="list-style-type: none"> All car parking is located within the site 	Yes
C33 A Traffic and Parking Study should be prepared to support the proposal....	<ul style="list-style-type: none"> An appropriate traffic report was submitted in support of the entire development. 	Yes
C34 Alternate vehicular access should be provided where child care facilities are on sites fronting...	<ul style="list-style-type: none"> N/A – the site does not require alternative vehicular access. 	Yes
C35 Child care facilities proposed within cul-de-sacs or narrow lanes...	<ul style="list-style-type: none"> N/A – not a cul-de-sac or narrow lane. 	Yes
C36 Design solutions may be incorporated into a development to help provide a safe pedestrian environment:	<ul style="list-style-type: none"> The facility is easily accessed from car parking area and pedestrian entrances, and entry is legible. This entrance is not located near the loading docks. Vehicles can enter and exit the site in a forward direction. 	Yes
C37 Mixed use developments should include: <ul style="list-style-type: none"> Driveway access, manoeuvring areas and parking areas for the facility that are separate to parking and manoeuvring areas used by trucks; Drop off and pick up zones that are exclusively available for use during the facility's operating hours with spaces clearly marked accordingly, close to the main entrance and preferably at the same floor level. Alternatively, direct access should avoid crossing driveways or manoeuvring areas used by vehicles accessing other parts of the site; and Parking that is separate from other uses, located and grouped together and conveniently located near the entrance or access point to the facility. 	<ul style="list-style-type: none"> Single vehicular access point is provided for the development, Council's traffic section has reviewed the application and raised no objection. Parking spaces allocated to centre-based childcare facility are located closest, and is located on the same parking level as visitor spaces, retail spaces and a small number of residential spaces. 	Yes

C38 Car parking design should: <ul style="list-style-type: none"> • Include a child safe fence; • Provide clearly marked accessible parking in accordance with appropriate Australian Standards; • Include wheelchair and pram accessible parking. 	<ul style="list-style-type: none"> • Parking is incorporated into the podium and is wholly sleeved by the development. • It is physically separated from the facility and appropriate accessible parking is provided. 	Yes
<i>Part 4 – Applying the National Regulations to Development Proposals</i>		
3.25sqm per child of unencumbered indoor space	<ul style="list-style-type: none"> • 244m2 required • 247m2 provided 	Yes
There must be laundry facilities or access to laundry facilities.	<ul style="list-style-type: none"> • Generally complies 	Yes
A service must ensure that adequate, developmentally and age-appropriate toilet, washing and drying facilities are provided...		
Services must be well ventilated, have adequate natural light, and be maintained at a temperature that ensures safety		
A service must provide adequate area or areas for administrative functions.		
Child care facilities must provide for children who wear nappies		
A centre-based service must ensure that the rooms and facilities within the premises are designed to facilitate supervision of children at all times	<ul style="list-style-type: none"> • To be addressed by conditions 	Yes
Regulation 168 sets out the list of procedures that a care service must have, including procedures for emergency and evacuation.		
7sqm per child unencumbered outdoor space	<ul style="list-style-type: none"> • 525m2 required • 701m2 provided 	Yes
Outdoor spaces must allow children to explore and experience the natural environment.	Noted	N/A
Outdoor spaces must include adequate shaded areas to protect children from overexposure to ultraviolet radiation from the sun.	<ul style="list-style-type: none"> • Addressed by conditions 	Yes
Any outdoor space used by children must be enclosed by a fence or barrier that is of a height and design that children preschool age or under cannot go through, over or under it.	<ul style="list-style-type: none"> • Fencing is proposed. 	Yes

2.8 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This Policy applies to the Parramatta local government area in its entirety. It aims to maintain Sydney Harbour for existing and future generations and establish balance between a working harbour, healthy and sustainable waterway environment and recreational access by establishing principles and controls for the catchment as a whole.

The location and nature of the proposal means there are no specific controls which apply, with the exception of the objective to improve water quality. That outcome will be achieved through the imposition of appropriate conditions to address the collection and discharge of water.

2.9 Auburn Local Environmental Plan 2010 (ALEP 2010)

The relevant requirements of ALEP 2010 are considered in the following table:

Clause	Proposal	Compliance
Land use table B2 – Local Centre	The proposal is a 'mixed use development' incorporating residential apartments as 'residential flat building', 'retail premises' ('commercial premises'), and a 'centre-based childcare facility'. All are permitted with consent in the B2 zone. Subdivision also permissible with consent.	Yes
Zone objectives	The proposal is consistent with the B2 objectives, which are: <ul style="list-style-type: none"> To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. To encourage employment opportunities in accessible locations. To maximise public transport patronage and encourage walking and cycling. To encourage high density residential development. To encourage appropriate businesses that contribute to economic growth. To achieve an accessible, attractive and safe public domain. 	Yes
2.7 Demolition	Demolition completed under separate consent.	N/A
4.3 Building height	The mapped height control is 116m, but the proposal relies upon the incentive height provision of clause 7.5 – see below	N/A
4.4 Floor space ratio	The mapped FSR control is 3.5:1, but the proposal relies upon the incentive provisions of clauses 7.5 and 7.10 – see below	N/A
5.6 Architectural roof features	There are no architectural roof features that encroach into the maximum building height.	N/A
6.1 Acid sulfate soils	The site is identified as Class 5 and within 500m of land identified as Class 2. The proposal does not meet the criteria in subclause (2) and therefore an Acid Sulfate Management Plan is not required.	N/A
6.2 Earthworks	Bulk earthworks associated with early works for this development were approved under DA/538/2019, approved 28 February 2020.	N/A
6.3 Flood planning	The site is not flood liable land.	N/A
6.5 Essential services	All required services are available at the subject site. These services will be decommissioned/ diverted as necessary to enable construction, and then augmented as nominated by the relevant service provider to satisfy the increased demands generated by the proposal.	Yes
7.1 Carter street Precinct Development Framework	This Framework (essentially a DCP) has been considered required- refer to section 4.1 below	Yes
7.2 Design Excellence	The proposal has been considered by a Design Review Panel (Council's DEAP), and that advice has informed the preparation of revised plans which resolve issues of concern. The terms of subclause (5) are therefore satisfied.	Yes

	Noting the findings of this report, and the conclusions of the DEAP, the proposal is considered to meet the qualitative design excellence criteria in subclause (4)	
7.3 Development of land adjacent public transport corridor	Concurrence from Transport for NSW has been granted.	Yes
7.4 Active Street frontages in B2 zone	An active frontage is provided to Uhrig Road as required.	Yes
7.5 Height and floor space incentives	<p><u>Incentive Building Height</u></p> <p>While the mapped base control is 116m, this clause prescribes an incentive height of 144m if the residential parking supply satisfies the terms of this clause</p> <p>That incentive height is further increased by 4.5m (i.e. to a maximum of 148.5m) if nominated criteria in clause 7.6 are satisfied</p> <p>The northern tower has a defined maximum height of 141.39m, which satisfies the incentive height of clause 7.5 without needing to rely upon the additional height permitted under clause 7.6.</p> <p>The western tower has a defined maximum height of 140.68m, which satisfies the incentive height of clause 7.5 without needing to rely upon the additional height permitted under clause 7.6.</p> <p><u>Incentive FSR</u></p> <p>While the mapped base control is 3.5:1 this clause prescribes an incentive FSR of 5.16:1 if the residential parking supply satisfies the terms of this clause. It is to be noted that FSR excludes up to 1000m² of GFA for the provision of a community centre per clause 7.10</p> <p>The proposal has an FSR of 5.16:1 consistent with the incentive controls.</p> <p><u>Maximum residential parking supply</u></p> <p>The incentive height and FSR is unlocked provided the following maximum parking supply rates are met:</p> <p>1 bed unit = 0.6 space 2 bed unit = 0.9 space 3+ bed unit = 1.4 Visitors = 0 spaces</p> <p>The scheme provides for 546 resident spaces, 1 more than the maximum. This matter is resolved by way of conditions.</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
7.6	This clause permits a further 4.5m in height above the incentive height of 144m provided its purpose is only for:	N/A

Additional exception to building height	<ul style="list-style-type: none"> • Roof top plant or equipment; or • An architectural roof feature <p>The design does not rely on this clause</p>	
7.7 Maximum parking spaces for certain land	Does not apply to this site.	N/A
7.8 Site area for FSR purposes	Confirms that any land being dedicated for public road or public transport is included in the 'site area' for the purposes of calculating FSR.	Noted
7.9 Total GFA for certain land	This clause does not apply to the subject site.	N/A
7.10 Additional GFA for community centres land	This clause permits a maximum of 1000m2 of GFA to be excluded from the FSR calculation but only if that floor space is used to provide a community centre (as required in the Planning Agreement). The application relies upon this clause	Yes
7.11 State public infrastructure	The required "satisfactory arrangements" certification has been issued by the DPIE.	Yes

3. Draft Planning Instruments

Design and Place SEPP

The new Design and Place State Environmental Planning Policy (SEPP) aims to simplify and consolidate how to deliver good design in NSW, by putting place and design quality at the forefront of development.

The draft SEPP will use a principle-based approach, with each of the 5 principles supported by design and planning considerations – some of them mandatory. The SEPP will be supported by new and existing policies as follows:

- *SEPP No 65 - Design Quality of Residential Apartment Development* and *SEPP Basix 2004* will be repealed and their content relocated into this new SEPP
- The *2015 Apartment Design Guide* will be revised
- A new *Urban Design Guide* will provide design guidance and standards for place-based design of high-quality neighbourhoods and precincts. This design guidance will complement the revised Apartment Design Guide
- A new *Design Review Guide* will establish consistent terms of reference and robust requirements for design review panels and design quality evaluation, addressing industry concern.

Public exhibition of the Design and Place SEPP Explanation of Intended Effect (EIE) closed in April 2021. The EIE is therefore a matter for consideration for the purposes of section 4.15 of the Act. That said, it has been given no weight because the actual draft Design and Place SEPP will not be exhibited until later in 2021.

Draft Consolidated City of Parramatta Local Environmental Plan

This Planning Proposal (PP) applies to all land within the Parramatta LGA. It has been publicly exhibited and is therefore a matter for consideration for the purposes of section 4.15

of the Act. Indeed, the PP has been endorsed by Council for finalisation and it is expected the PP will be finalised later this year.

The primary purpose of this PP is to consolidate the various planning controls which apply across the City of Parramatta following the LGA amalgamations in 2016. It does not propose major changes to zoning or increases to density controls. However, to create a single LEP various changes are proposed to the planning controls in certain parts of the LGA.

For this site however no changes are nominated. Further consideration is therefore not necessary.

4. Development Control Plans

4.1 Carter Street Precinct Development Framework 2020

This Framework was prepared by the DPIE as part of its review of the precinct planning controls, and came into force in December 2020 in conjunction with amendments to ALEP 2020. An assessment of the proposal against the relevant controls in CSPDCP 2016 is provided below:

Part 2 – Vision, principles and indicative structure		Complies
2.1 Vision	The development is consistent with the vision of the precinct as a strategic centre with a mix of uses.	Yes
Part 3 – Master Plan		Complies
3.1 Development principles	The development is not inconsistent with the development principles.	Yes
3.2 Key precinct elements	The development is not inconsistent with the nominated key elements.	Yes
Part 4 – Structure Plan		Complies
4.1 Objectives	The development is not inconsistent with the stated objectives .	Yes
4.2 Controls	The development is not inconsistent with the stated controls.	Yes
Part 5 – Street network		Complies
5.1 Street network	<ul style="list-style-type: none"> Canning Street and the through site link are already approved and are consistent with the Framework. Canning Street will be public, even though it is not yet dedicated. The public domain treatment for all street frontages is satisfactory. The location of vehicular access does not create conflict with pedestrian safety. 	Yes
Part 6 - Public transport network		
6.2 Controls	<ul style="list-style-type: none"> The use of public transport is encouraged by limiting onsite parking supply and allowing for a suitable public domain to serve the town centre. The application includes subdivision to secure land for the corridor for future stage 2 PLR 	Yes
6.3 Parramatta Light Rail	The scheme aligns with, and allows for the design measures identified to accommodate the likely future PLR stage 2 terminus and associated public domain requirements.	Yes
Part 7 - Pedestrian and cycle network		
7.2 Controls	The existing approved through site link is consistent with the Framework. Site planning allows for a future cycle path in Uhrig	Yes

	Road as contemplated. Likely delivered via PLR	
7.3 Through site link	The existing approved through site link is consistent with the Framework	Yes
Part 8 - Public open space network		
8.2 Controls	The proposed plaza is consistent with the nominated public open space network	
Part 9 - Building setbacks		
9.1 Residential and Mixed use	<ul style="list-style-type: none"> Podium setbacks generally achieve the 0m requirement except at the northern corner where the open space for the child care centre is provided The ground and first floor levels which interface with the residential zone opposite to the east are not setback 3m as required but the design is satisfactory as confirmed by DEAP. 	Yes, on merit
Part 10 - Residential and mixed use development		
10.2 Building height and form	<ul style="list-style-type: none"> Uhrig Road – complies at 4 storeys Canning Street – complies at 4 storeys but the top level is not setback Grazier Street –Complies at 4 storeys but the top level is not setback Through site link – complies at 4 storeys but the top level is not setback 	Yes, and satisfactory on merit for identified departures.
10.3 Towers	<ul style="list-style-type: none"> Tower floorplates less than 1000m2 GBA Complies with maximum tower length of 45m Does not comply with preference for standalone tower design, relies upon a podium base instead. Qualitative design criteria for towers otherwise generally achieved 	Yes, and satisfactory on merit for identified departures.
10.4 Public domain interfaces	<ul style="list-style-type: none"> Ground floor dwellings not provided with direct access to street Active uses provided in nominated locations Awnings provided to commercial and residential entries All ground floor apartments address the street but do not have private gardens – balconies provided instead. 	Yes, and satisfactory on merit for identified departures.
10.5 Non-residential uses in the village centre	<ul style="list-style-type: none"> Non-residential uses to provide public amenity and services are provided to the ground floor as prescribed. 	Yes
10.6 Additional permitted uses	The application does not rely on relevant provision from ALEP 2010	N/A
10.7 Active frontages	Active frontages are provided in the nominated locations	Yes
10.8 Building facades	The qualitative controls are satisfied given that Council's DEAP supports the building form and presentation, including the composition/detailing of facades and schedule of materials	Yes
10.9 Private and communal open space and landscaping	<ul style="list-style-type: none"> Although the minimum 30% common open space supply is exceeded it is not located at ground plane, but instead at level 4. This is because of the scheme is of a podium+ tower typology and not the standalone tower form encouraged by the DCP. However the typology proposed is the most appropriate for the town centre 	Yes, and satisfactory on merit for identified departures.

	<ul style="list-style-type: none"> Deep soil supply and location is satisfactory, again noting the town centre location. Council's landscape officer is satisfied with arrangements for onsite (private) landscaping 	
10.10 Vehicular access and parking	<ul style="list-style-type: none"> On site parking supply is located partly in basements and partly above ground sleeved by other uses - complies The location of the combined vehicle entry/exit complies with nominated location The design of the vehicle entry does not present any safety conflict for pedestrians Residential parking supply rates are superseded by those in the ALEP 2010 Traffic impact statement was provided as required. A Green Travel Plan is a condition of consent Bicycle parking supply complies 	Yes
Part 11 - Employment uses		
	These controls only apply to land zoned B6 Enterprise Corridor	N/A
Part 12 - Environmental Management		
	<ul style="list-style-type: none"> An event covenant to manage the relationship with adjoining SOP is addressed by condition An acoustic report has been provided demonstrating that nominated internal noise levels will be achieved. An odour assessment was provided as required. CPTED considerations are managed by appropriate conditions of consent An ESD report has been provided which is satisfactory. Its recommendation are implemented by conditions of consent. The site is not flood affected Satisfactory arrangements are made for WSUD Wind mitigation measures are satisfactory refer to section 7.4 below 	Yes
Part 13 - Development near pipeline easements		
	Refer to section 7.13 below	Yes

5. Planning agreements or contributions plans

5.1 Planning agreement

A Planning Agreement under section 93F of the EP&A Act 1979 is in place between the Minister for Planning and Public Spaces and the applicant, which requires the applicant to:

- Make a monetary contribution, based on GFA, with those funds put towards the provision of designated State public infrastructure to satisfy the needs arising from the development of the Precinct.
- Carry out and complete open space works, and transfer the land to the Minister, or Nominee
- Carry out and complete the community centre (cold shell) and transfer the community centre stratum lot to the Minister or Nominee

This matter is addressed in clause 7.11 of ALEP 2010, which provides that consent must not be granted unless the Secretary has certified in writing that satisfactory arrangements have been made to contribute to the provision of designated State public infrastructure in relation to that development.

The DPIE has issued the required Certification.

5.2 Carter Street Precinct Development Contributions Plan 2016

The Planning Agreement above specifically notes that it does **not** exclude the operation of section 7.12 (previously 94A of EP&A Act 1979).

The land therefore remains the subject of the Carter Street Precinct Development Contributions Plan 2016 (CP 2016), which operates for the purposes of section 7.12 of the EP&A Act 1979. It provides as follows:

- Clause 9 – the rate of contribution is 1% of the cost of development.
- Clause 13 – Plan applies to all applications for development under Part 4 of the Act.
- Clause 14 – no exemptions are relevant for this application.
- Clause 17 – cost of development calculated as per clause 25J of the EP&A Regulation.
- Clause 22 – payment to be made at time specified in the Notice of Determination.

The total cost of development is \$277,376,968. An appropriate condition requiring a 1% contribution is included in the recommendation.

It is noted that the cost of works for this DA takes into account early works and certain structural elements already approved under related applications, and for which the appropriate contributions have been paid.

CP 2016 will be replaced by the City of Parramatta (Outside Parramatta CBD) Contributions Plan 20210, which commences on 21 September 2021. However the savings provision in that Plan are such that CP 2016 remains applicable for this DA.

6. The Regulations

This application satisfies relevant clauses of the Regulation as follows:

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

7. The likely impacts of the development

The likely impacts of the development have been considered in this report, and the proposal is considered satisfactory.

7.1 Context and setting

The NSW Land and Environment Court (LEC) planning principle on compatibility of proposal with surrounding development, established in *Project Venture Developments Pty Ltd v Pittwater Council* [2005] NSWLEC 191, provides the following test to determine whether a proposal is compatible with its context.

Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.

The proposal will not result in any adverse physical impacts, as follows:

- Site works are acceptable;
- Appropriate arrangements will be made for the collection and disposal of stormwater;
- Arrangements for vehicle access, and traffic generation will not compromise safety for road users, and will not reduce the efficiency of the local road network;
- The design and location of the building will not preclude surrounding land from being developed in accordance with planning controls; and
- Will not generate unreasonable noise, cast shadows or diminish views that would be detrimental to adjacent and surrounding sites.

Is the proposal's appearance in harmony with the buildings around it and the character of the street?

The proposal will have a satisfactory relationship with its context for the following reasons:

- It provides a mix of land uses contemplated by, and permissible under, the planning controls;
- Site planning locates built elements in suitable locations, avoiding or otherwise minimising negative amenity outcomes for adjoining areas;
- Scale, form and presentation is generally consistent with applicable planning controls;
- Design and site planning resolves issues raised by the DEAP;
- Public domain treatment will be satisfactory;
- Operational characteristics will not result in adverse impacts for adjacent sites or the wider locality.

7.2 Site works

Services

All required services are available. These services will be decommissioned/diverted as necessary to enable construction, and then augmented as nominated by the relevant service provider to satisfy the increased demands generated by the proposal.

7.3 Site design and internal design

Site planning, height, bulk and scale

The bulk and scale of the proposal is consistent with the outcomes expected by the precinct planning controls, and is otherwise satisfactory on merit.

The design has been the subject of review by DEAP, which is now satisfied that the built form outcome is appropriate and of high quality.

External materials, schedule of finishes

These details have been the subject of review by relevant sections of Council and DEAP and are considered satisfactory.

Accessibility

Arrangements are generally satisfactory, and conditions of consent will ensure compliance with the NCC, DDA and relevant Australian Standards.

Landscaping

Council's tree management and landscape officer is satisfied with the landscape treatment for the private elements of the proposal, including communal open space areas. The

communal open spaces satisfy the ADG.

Reflectivity

The application is supported has submitted a report which considers the reflectivity and glare caused by this proposal. In summary that report notes:

- In some instances facades with the potential to generate adverse glare/reflectivity impacts have eliminated that possibility by the various design elements already incorporated into the building facades
- Nevertheless, potential glare conditions have been identified which would impact:
 - Traffic vehicles travelling east and west along Uhrig Road.
 - Traffic vehicles travelling south along Stockyard Boulevard.
 - Traffic vehicles travelling west along Dawn Fraser Avenue.

To mitigate those circumstances, the relevant locations and proposed treatments are shown in Figure below 9:

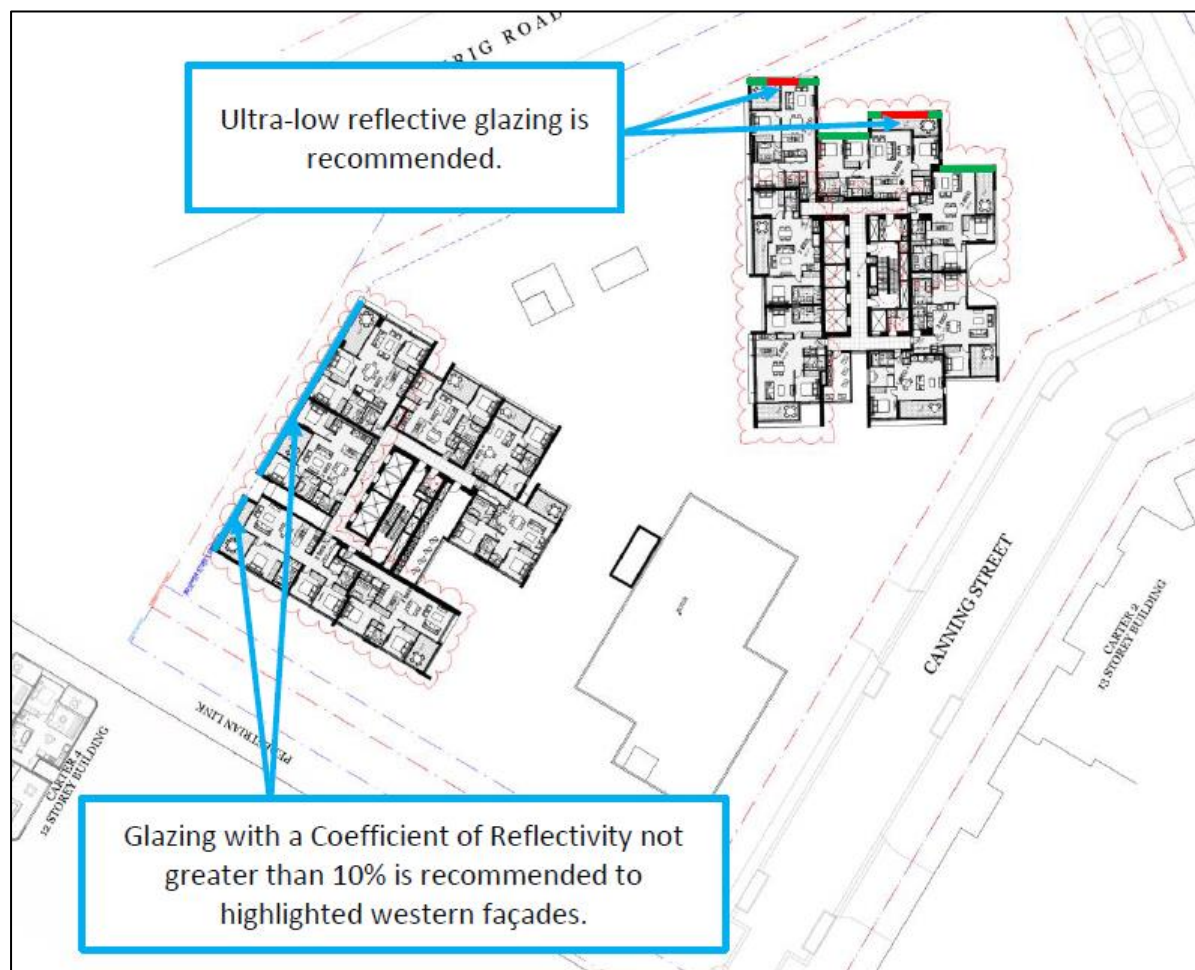


Figure 9: Location and type of required additional glare mitigation

That report was reviewed by Council's external sustainability consultant who advises that the reflectivity controls recommended are not satisfactory for the following reasons:

- The Reflectivity Analysis recommends a 'Coefficient of Reflectivity' not greater than 10% for an area of the western facade. We assume the Coefficient of Reflection refers to the proportion of light reflected at the normal (0 degrees) angle.
- The Reflectivity Analysis recommends Ultra-low reflective glazing to highlighted

northern facades. There is no metric or specific target for the reflective properties of the glazing required. As there is no standard definition for ultra-low reflective glazing, the recommendation is too vague and inadequate.

- The report must address the reflectivity requirements at the angles of concern, and this may require the specification of a specific product as reflectivity at non-normal angle reflection can vary significantly with specialist low reflectivity coatings.
- An ultra-low reflectivity coating will conflict with the coatings required for thermal performance, so the requirements must be integrated.
- There is no testing of the proposed recommendation to confirm adequacy, and therefore, neither has been demonstrated to mitigate disability glare risk adequately.

Given the above, this report recommends that the applicant be required to undertake a more rigorous assessment to properly determine appropriate mitigation measures. Such work is required to be completed prior to the issue of any Construction Certificate. It is acknowledged there is a potential that refined mitigation measures may trigger the need for a Modification application to accommodate adjustments to façade detailing.

7.4 Amenity considerations

Noise impacts upon the building

The Carter Street Precinct Development Framework nominates “recommended” and “maximum” noise criteria for internal areas of new development in response to the setting and context of the site, which is subject to intrusive noise road traffic, existing industrial uses and major events at the adjacent SOP precinct. That “recommended” criteria is consistent with the ISEPP provisions for residential development adjoining arterial roads.

The acoustic report supporting the application concludes the “recommended criteria” should be achieved provide its nominated mitigation measures (eg glazing standards and construction standards) are implemented.

The report has been evaluated and confirmed as satisfactory by council’s Environmental Health Officer. Relevant conditions are included at **Attachment B**.

Noise impacts from the adjacent Olympic precinct

The issue was the subject of particular review by the Panel in October 2017 when determining DA 1005/2016 at 29 Carter Street Lidcombe, which is at the western end of the precinct. At that time the Panel was concerned to understand any conflict between high density residential development in the Carter Street precinct and the mooted refurbishment of the nearby Olympic Stadium. It was not clear whether the refurbishment included an expansion to the capacity of the stadium

Council officer’s advice to the Panel, at that time, was:

- This development is required to satisfy the recommended noise criteria in the Carter Street DCP which is more onerous than the equivalent provisions in the SOP masterplan;
- A covenant would be registered on the title of the land alerting purchasers to the proximity and characteristics of events in Sydney Olympic Park; and
- Council now includes a notation on its section 10.7(5) planning certificates:

The Panel accepted the above in electing to grant its consent to DA 1005/2016. Since that time:

- The same approach (application of DCP noise criteria and imposition of event covenant) has been applied to all subsequent DAs
- Council has reviewed a State Significant development (SSD) application for the refurbishment of the Stadium. That proposal reduces seating capacity from 83,000 to about 70,000.

Notwithstanding, this report recommends the imposition of the events covenant and compliance with the DCP noise criteria, consistent with the requirements of the Precinct Framework 2020.

Noise associated with the operation of the childcare centre

The acoustic report supporting the application has considered the likely noise impacts resulting from the operation of the childcare centre, particularly for those residential apartments located directly above.

The analysis concludes that relevant noise criteria will be achieved, provided the following operational measures are in place:

- Maximum 4 hours outdoor play time, limited to 2 blocks of 2 hours each
- Implementation of various management measures by staff
- Hours of operation to be limited to 7am 6pm weekday, and no weekend use.
- Construction of an awning with solid roof over part of the outdoor play space
- Windows and door to indoor play space to be limited to maximum opening of 20% of glazed areas, and glazing to be of the type nominated.

Noise generation

Mechanical plant and equipment for required services and facilities is located either within the basement levels, or at various levels of the tower buildings. The acoustic report supporting the application advise that while detailed plant selection has not yet been undertaken, mitigation to ensure satisfactory noise levels are achieved will be possible via the use of standard acoustic treatments such as duct lining, acoustic silencers and enclosures.

The report has been evaluated and confirmed as satisfactory by council's Environmental Health Officer. Relevant conditions are included at **Attachment B**.

Wind

The application as lodged was supported by a wind tunnel study to evaluate whether pedestrian comfort and safety criteria was achieved both within the site and relevant points within the surrounding public domain.

The study involved the testing of three built environment "scenarios":

- Scenario 1 – "Baseline": The existing built environment (as of January 2020),
- Scenario 2 – "Proposed" "Baseline" + The Proposed Development
- Scenario 3 – "Mitigation" "Proposed" + recommended wind mitigation treatments

The report analysed 39 locations across the ground plane and the level 4 podium, of which 11 were outside the site, being either within the new plaza or opposite the site along Uhrig Road, Grazier and Canning Streets.

In summary the report notes the proposal already incorporates numerous wind mitigation measures comprising (i.e. scenario 2 – baseline + the proposal)

- Existing and significant landscaping surrounding the site
- Proposed awning located along the northeastern, northwestern and southwestern aspects
- Proposed landscaping along the outdoor child care area located on Level 1;
- Proposed awning located along the northeastern aspect of the proposed development on Level 1;
- Proposed landscaping and tree planting located on the Level 4 Podium;
- Proposed pergola above the swimming pool located on the Level 4 Podium; and
- All proposed landscaping would be densely foliated and evergreen, given the occurrence of adverse winter wind conditions amongst the wind conditions of concern.

The report confirms however that none of that landscaping was included for the purposes of the Scenario 2 wind tunnel testing.

Testing of Scenario 2 indicated the need for the following additional mitigation measures:

- For the child care centre:
 - In areas designated for seating, horizontal protection should be provided: canopies, pergolas, shade cloth, awnings
- For the level 4 podium:
 - all proposed landscaping should be densely foliated and evergreen, given the occurrence of adverse winter wind conditions
 - Increase height of current screens to a minimum of 1.8 m vertical screen along the western perimeter on the Level 4 podium
 - During the detailed design stage of the project when seated areas designated for long term stationary activities are defined, additional horizontal windbreaks (eg awnings, canopies, pergolas etc) be added to the podium to supplement the already planned landscaping. This will ensure that podium level winds are comfortably within their target criteria.
 - All proposed landscaping should be densely foliated and evergreen, given the occurrence of adverse winter wind conditions.

Subsequent testing with the inclusion of those mitigation measures showed that 19 of the locations experienced no change, and 20 locations had improved outcomes.

Despite that, and separate to the above, the report also provides mitigation measures for private balconies, being:

- Where balconies from Level 5 and above are provided openings to more than one aspect, it is recommended that practical means of wind shielding be employed to protect against adverse winds. These could be full height balustrade to one side, louvres or pull down screens.

That report was then peer reviewed by Council's independent wind consultant who confirmed the following aspects were satisfactory, or agreed:

- The extent of the public and private areas considered
- The wind climate data used
- The criteria used to measure the acceptability of wind comfort and wind safety
- The wind test model of the proposed building and its surrounding built context.
- That no locations tested were found to fail the pedestrian safety criterion

However the following issues were found to require further consideration:

- Whether council is comfortable relying on landscaping in the public domain as a mitigation strategy
- Notwithstanding that the wind mitigation strategies are shown to improve the wind conditions around the development the following conditions are noted:
 - Outdoor retail seating at the southwest corner would not meet “Sitting” (C4) criterion
 - The outdoor child care area would meet the criterion for “sitting” (C4) but not the criterion for dining (C5) which is more appropriate for outdoor learning particularly for small children.
 - While the podium outdoor areas satisfy the “Leisure Walking” criterion, it would be appropriate to target a higher better wind condition given that area will be used for dining and passive recreation.
- Future studies to quantify the balcony wind conditions demonstrate the proposal and mitigated wind conditions, including the effects of wind gusts (safety).

The applicant’s wind tunnel report was then updated in July 2021 to response to those concerns, as follows:

- Inclusion of updated landscape treatments
- Inclusion of a perimeter canopy at the southwest corner
- Removal of the seating areas outside the retail tenancies, which may be reinstated in the future once the need for additional wind mitigation is determined
- Wind mitigation features in and around the level 1 childcare including a 1.8m high perimeter fence, perimeter landscaping, shade structures, and enclosed spaces.
- Wind mitigation features on the level 4 podium, including shade structures over the BBQ area and extensive planting throughout podium area.

Council’s consultant agrees that:

- these additional measures would be expected mitigate wind impacts and achieve the target wind comfort criteria
- all areas would satisfy the pedestrian safety criterion.

but notes the design refinements have not been wind tunnel tested to confirm their efficacy.

Given all of the above, this report recommends:

- The implementation of all nominated mitigation measures
- Further wind tunnel testing of the mitigation measures in the report of July 2021, and the need or otherwise for private balcony treatments in the upper levels of the towers.
- A covenant to preclude outdoor dining as it is impossible to ensure that future the retail users would ever undertake additional wind testing to determine the need for wind mitigation measures.
- A covenant to ensure the maintenance of all onsite landscaping.

Overshadowing impacts

The proposal has been accompanied by diagrams demonstrating shadows cast within and beyond the site at the winter solstice.

The height of the towers results in shadows extending for some distance beyond the site, impacting all the street block bounded by Birnie Ave, Uhrig Road, Grazier and Carter Streets, being Meriton’s Phase 1, 2 and 4 developments, which are complete or under construction. The shadow diagrams indicate:

- The western and northern elevations of Phase 1 are not impacted until 1pm
- Apart from some limited impacts at 11am, the eastern and northern elevations of Phase 2 are not impacted until 12pm
- The southern corner of Phase 1 is the worst impacted area, but even then will generally receive 2 hours minimum solar access throughout the day.
- The proposed Uhrig Rd plaza is not impacted at all
- Osprey Park is not impacted until 2pm.

On balance, and given the high density nature of the town centre, the shadow impacts on adjacent developments are acceptable.

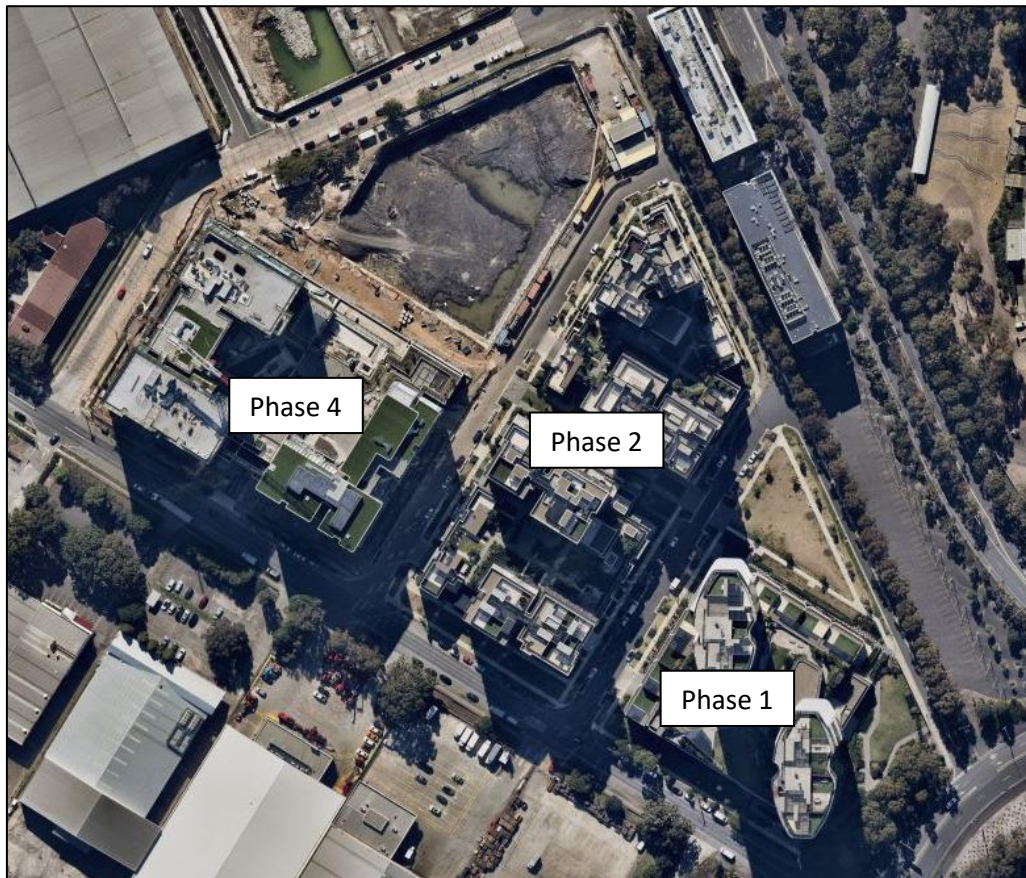


Figure 10: Existing adjacent development

Odour

The site is about 1 km south east of the Homebush Bay Liquid Waste Treatment Plant (LWTP). That Plant is critical infrastructure, as it treats liquid wastes for which there are no alternative treatment options in NSW. The Odour Assessment which informed the (then) DPI preparation of the initial Carter Street rezoning controls noted that odour impacts from this facility would impact this site, but only under 1 of the 4 scenarios modelled. That same scenario would also impact all of the suburb of Newington, much of Silverwater and some of Lidcombe.

The 2015 Finalisation Report prepared by the (then) DPE in support of the rezoning proposal for the Carter Street Priority Precinct, acknowledged LWTP would impact on future residents of the precinct. It also noted:

- The site of the plant has been identified for mixed use (residential and commercial)
- under the Sydney Olympic Park Master Plan 2030, and zoned B4 Mixed Use under the

- State Environmental Planning Policy (Major Development) 2005;
- The LWTP site is leased by a private operator from the NSW government, with the current lease due to expire in 2025; and
- A plan is required to establish arrangements for the long term treatment of liquid waste streams across Sydney and NSW.

This issue was the subject of particular review by the Panel when determining DA 1005/2016, which was for the site in the Carter Street precinct the closest to the LWTP. In reaching a conclusion on that matter the Panel accepted the following position:

- The DPE had the opportunity to address staged development of the Carter Street Precinct if it considered odour from the LWTP was a significant constraint;
- The lease for the LWTP is due to expire in 2025, and on available information, is unlikely to be extended;
- The SOP Master Plan, adopted in August 2018, has no objectives or provisions to mitigate odour impacts.

Noting those circumstances and given the many other recent approvals within the Precinct, no concerns arise.

7.5 Future public assets

The scheme includes the following elements which will become future public assets:

- A community facility (cold shell) at the ground floor, of 1000m²; and
- A public plaza, which reflects that part of the site zoned RE1 Public Open Space

The suitability of the location of the community facility and its integration into the wider scheme was considered by DEAP, and is acceptable. In a process run in parallel with the DA assessment, a fine grain review of suitability of the design and layout the community centre as a future council asset was led by Council's Social Outcomes team and Land Use Planning team.

The obligation to provide those facilities arises from the Planning Agreement between the applicant and the Minister for Planning and Open Spaces.

Both matters are also the subject of a Works Agreement between Council and the applicant to ensure that the assets are delivered in a satisfactory manner.

7.6 Public domain

A positive public domain relationship between the development and its street frontages will result given:

- Buildings have a satisfactory interface between ground floor levels and levels of adjoining public areas, a particularly given the prevailing topography
- All vehicular access is limited to the Canning Street, and does not interfere with the pedestrian link or general pedestrian access.
- Service areas are integrated into the building and do not dominate the streetscape or undermine the design of the development.
- Above ground parking areas are wholly sleeved within the podium.
- Overlooking from apartments and retail tenancies to all frontages provides passive and casual surveillance of the public realm and improves actual and perceived safety.

- Architectural design and treatment will achieve a suitable streetscape presentation.
- Appropriate landscape treatments are provided to frontages to contribute to the public domain.

7.7 Access, transport and traffic

Car parking supply – residential apartments

As noted at section 2.9 the proposal relies upon the incentive provisions of ALEP 2010 which prevail over the CSP Framework 2020.

Car parking supply – retail

CSP Framework 2020 requires a minimum 1 space per 50sqm for local retail tenancies which equates to 16 spaces, which are provided.

Car parking supply – centre-based childcare facility

CSP Framework 2020 does not specify rates for a centre-based childcare facility, so the required rate is determined by Auburn DCP 2010 which requires a minimum of 20 spaces.

20 spaces are proposed for the centre-based childcare facility, being 1 more than the minimum, which is acceptable.

Car parking supply - Community facility

Neither RMS Guide to Traffic Generating Developments, CSP Framework 2020, Auburn DCP 2010 or Parramatta DCP 2011 provide parking rates for community centres. On merit, the 5 spaces proposal is acceptable.

CSP Framework 2020 does not specify rates for a centre-based childcare facility,

Bicycle parking supply

CSP Framework 2020 nominates a minimum of 595 bicycle spaces as follows:

- 546 spaces for residents (1 per unit)
- 46 for visitors (1 per 12 units)
- 3 for retail staff and visitors (1per 300m2 GFA)

The development provides 594 spaces as required.

Parking access and design

The design and geometry of the vehicle access and parking areas has been assessed as satisfactory by Council's Traffic Engineer, having regard to AS 2890.1, particularly:

- Layout and dimensions
- Column locations
- On site manoeuvring
- Driveway entry and exits
- Driveway gradients,
- Sight lines and control points

Appropriate conditions of consent are provided at **Attachment B**.

Service vehicle access

Council's Traffic Engineer has reviewed the proposed arrangements for service vehicles in to the site and confirm it to be satisfactory. Two loading bays are provided: one for standard rigid vehicle and one for medium rigid vehicle. A loading dock management plan is required by condition of consent.

Construction traffic

A Construction and Pedestrian Traffic Management Plan is to be submitted prior to works commencing.

Operational traffic

The application is supported by a traffic report which includes a forecast for future traffic generation.

The report estimates that approximately 180 trips in the AM peak, and 149 trips in the PM peak would likely be generated by this proposal. Council's Traffic Engineer advises those circumstances are not expected to have a significant impact on the safer and efficient operations of the local road network, and therefore the proposal can be supported on traffic grounds.

7.8 Water management

Water quality during construction

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

On-site stormwater collection and disposal

Stormwater will be managed via on-site detention systems. Council's Engineer has reviewed the proposal and has recommended conditions of consent to ensure a suitable system is provided.

7.9 Waste management

Construction phase

A Waste Management Plan is to be endorsed by Council prior to commencement of works, as recommended by Council's Environmental Health Officer.

Operation phase

The application is supported by an operational Waste Management Plan addressing arrangements for the storage and collection of general waste/recyclables and trade waste. The residential component of the building will be serviced by Council, and in that regard the Environmental Health section and Waste Services Supervisor are satisfied with nominated arrangements. Council's Traffic team is also satisfied that the onsite waste collection area can be accessed by relevant sized vehicles.

A contractor required for the retail and commercial components. Appropriate conditions are provided in the recommendation.

Appropriate conditions of consent are provided at **Attachment B**.

7.10 Construction management

Although the application is supported by a construction management plan (CMP), the recommendation of the report requires the preparation of a comprehensive to minimise nuisance during the construction period. The final CMP will need to address the following matters, at a minimum:

- Dilapidation reports;
- Demolition and removal of hazardous materials;
- Sediment and erosion control and water quality during construction;
- Construction traffic management plan;
- Hours of works;
- Construction noise and vibration;
- Material delivery and storage;
- Safety fencing;
- Traffic and pedestrian safety;
- Dust control;
- Tree protection; and.
- Any other relevant matters arising from the obligations of the consent.

Appropriate conditions of consent are provided at **Attachment B**.

7.11 Social and economic impacts

No adverse impacts have been identified.

7.12 Safety, security and crime prevention

Crime Prevention Through Environmental Design (CPTED) is a recognised crime prevention strategy that focuses on the planning, design and structure of the built environment to reduce opportunities for crime and anti-social behaviour.

CPTED has four key principles:

1. Natural surveillance
2. Access control
3. Territorial re-enforcement
4. Space and activity management

Evaluation of the application against above principles indicates that due regard has been given to those considerations, as below.

Principle	Comment
Natural surveillance	<ul style="list-style-type: none">• The pedestrian link is straight, providing appropriate sightlines.• Retail tenancies provide activation.• All frontages have balconies and windows overlooking the public domain, increasing supervision and surveillance. The apartments are residential in nature, indicating some permanency of residents and increase natural surveillance where SOP is very visitor-focussed.• Security and casual lighting are integrated into the development to ensure spaces are appropriately lit.
Access control	<ul style="list-style-type: none">• Wayfinding within the development is eligible.• Discernible access points for separate uses.

	<ul style="list-style-type: none"> Physical separation of spaces is included, and lift access controlled via swipe access or similar. Design includes physical barriers to reduce unauthorised access.
Territorial reinforcement	<ul style="list-style-type: none"> The proposal provides actual boundary markers (including entries and exit) and will provide a sense of guardianship and ownership through maintenance of spaces. There is a clear delineation between public and private spaces by physical separation, visual cues and similar. Internal spaces are controlled through use of signage, physical cues, physical separation and landscape features. Visual cues include display of security signage and CCTV cameras, motion sensor lighting, and placement of amenities in open public areas to promote activity away from private spaces.
Space and activity management	<ul style="list-style-type: none"> Maintenance is supported by use of high-quality materials and limiting opportunities for vandalism and graffiti. Procedures to ensure speedy removal of graffiti and rectification of vandalism.

To ensure a suitable outcome is achieved, the recommendation requires the following measures to be implemented into the development.

- Internal and external lighting to Australian Standards;
- Installation of CCTV to the basement entry and service entrance;
- Way finding measures within the parking levels.

7.13 Pipelines and associated impacts

The Precinct is constrained by multiple high pressure pipelines which are located generally along the southern edge of Carter Street as shown at Figure 11 below.



Figure 11: Location of Pipelines shown hatched – site marked by yellow star.

As part of its preparation of the new planning controls introduced in December 2020, the DPIE engaged Arriscar Pty Ltd to prepare a Land Use Safety Study (LUSS) to estimate the risks posed by the existing pipelines.

Based on that work the Precinct Framework 2020 has identified those parts of the Precinct which are not suitable for residential development or places of continual occupation (Area 1 = dark hatching on Figure 12) or which are not suitable for sensitive land uses, including child care centres schools and hospitals (Area 2 = light hatching on Figure 12)

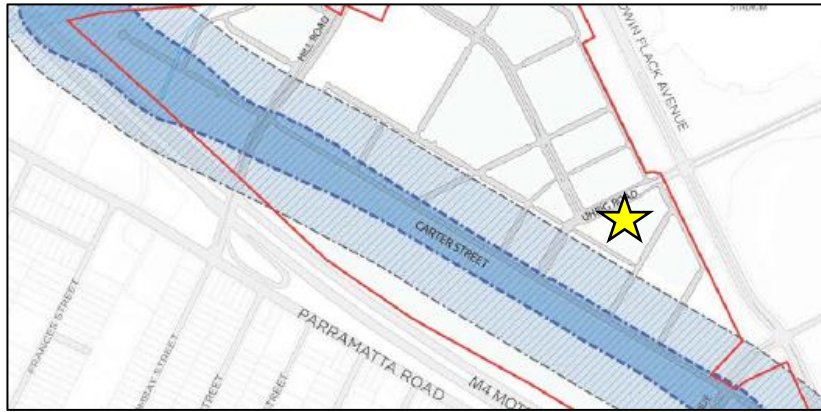


Figure 12: Land Use Areas 1 and 2, site marked by yellow star

The site is outside of Areas 1 and 2, and accordingly those land use limitations don't apply.

Notwithstanding, there is a control in the Framework which requires the preparation of a risk assessment for any development in the precinct unless it does not propose to increase the onsite population beyond that nominated in the Arriscar report. No such assessment was provided in support of this application.

Consultation with the Hazards Branch of DPIE indicated:

- An Ethylene pipeline has been decommissioned, reducing the risk, however fuel and natural gas pipelines remain
- Based on the separation distances to the site, only the western tower and associated podium areas may be affected by risk from the pipelines
- The population of that part of this proposal is marginally comparable to what was assessed in the in the Arriscar report.
- The non-residential element in that same part of this proposal is likely to have a population not greater than what was assumed in Arriscar report.
- There are building groups in between Carter Street and this proposal which could offer shielding .
- Given those circumstances, this proposed DA is unlikely to push the overall societal risks into an intolerable region.

For completeness, it is noted that clause 66C of the ISEPP (Development adjacent to pipeline corridors) does not apply in this instance, as those pipelines are located south of Carter Street, as shown at Figure 11 above.

8. Suitability of the site

The subject site is appropriately zoned for the proposed development, and the precinct is undergoing a steady urban renewal process.

Subject to the imposition of recommended conditions, the site is considered suitable for the development as:

- The proposal is an appropriate fit for the locality given the preceding analysis which demonstrates a lack of adverse built form and operational impacts; and
- Site attributes are conducive, noting a lack of natural constraints/hazards.

9. Public interest and notification

9.1 Public notification

As noted, seven submissions were received following public exhibition and notification of the proposal. All raised objection or concerns, which are summarised below:

- Too many apartments which will cause over-crowding for the local area
- The child care centre is in the wrong location it should be part of phase 1 so they can use the public park, which is wasted/underutilised.
- Parents will be concerned to send their children to the childcare centre, as they will be worried items will be dropped/thrown from the units above, presenting risk/danger
- Too much traffic, particularly in Canning Street- the driveway entry should be moved to another street frontage
- Light pollution for reflective surfaces or lights
- Building height will result poor amenity impacts from overshadowing and lack of natural light. This will also impact property prices
- This building should not be used as serviced apartments as there are already many of these around Sydney Olympic Park.
- There are too many high density buildings too close to each other – they should be spread out like at Sydney Olympic Park
- Shadows from the building will impact upon the future school site
- The demand for parking will saturate surrounding streets affecting convenience of residents
- Proposal is contrary to the low density / good living environment
- Increased noise pollution from air condition systems and exhaust equipment
- The emergence of high-rise service apartments will produce the phenomenon of watching activities from high-rise service apartments. This will greatly reduce the ticket revenue of the stadium and harm the interests of the organizers. If the right to host large-scale events is lost, the commercial value of the stadium will be severely lost and the surrounding supporting consumer facilities will also be affected.

9.2. Public interest

Subject to implementation of conditions of consent outlined in the recommendation below, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

ATTACHMENT B – CONDITIONS OF CONSENT

DRAFT CONDITIONS OF CONSENT

GENERAL MATTERS

Planning and general

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

Drawing no. and revision	Title	Dated
DA 103 Rev E	Subdivision plan	3.8.21
DA 104 Rev E	Da 251 Rev E Public benefit plan	3.8.21
DA 104 Rev E	Site plan	3.8.21
DA 200a Rev E	Basement 03	3.8.21
DA 200b Rev E	Basement 02	3.8.21
DA 200c Rev E	Basement 02	3.8.21
DA 201 Rev E	Ground floor plan	3.8.21
DA 202 Rev E	Level 1	3.8.21
DA 203 Rev E	Level 2	3.8.21
DA 204 Rev E	Level 3	3.8.21
DA 205 Rev E	Level 4	3.8.21
DA 206 Rev E	Levels 5-17	3.8.21
DA 207 Rev E	Levels 8-32	3.8.21
DA 208 Rev E	Levels 33-40	3.8.21
DA 209 Rev E	Level 41	3.8.21
DA 210 Rev E	Level 42	3.8.21
DA 211 Rev E	Level 43	3.8.21
DA 212 Rev E	Roof	3.8.21
DA 213 Rev E	Roof overrun	3.8.21
DA 251 Rev E	Building A – Typical Plan 1	3.8.21
DA 252 Rev E	Building A – Typical Plan 2	3.8.21
DA 253 Rev E	Building A – Typical Plan 3	3.8.21
DA 254 Rev E	Building A – Typical Plan 4	3.8.21
DA 255 Rev E	Building A – Typical Plan 5	3.8.21
DA 256 Rev E	Building A – Typical Plan 6	3.8.21
DA 261 Rev E	Building B – Typical Plan 1	3.8.21
DA 262 Rev E	Building B – Typical Plan 2	3.8.21
DA 263 Rev E	Building B – Typical Plan 3	3.8.21
DA 264 Rev E	Building B – Typical Plan 4	3.8.21
DA 300 Rev E	Context elevation	3.8.21
DA 301 Rev E	Elevations sheet 1	3.8.21
DA 302 Rev E	Elevations sheet 2	3.8.21
DA 303 Rev E	Elevations sheet 3	3.8.21
DA 304 Rev E	Elevations sheet 4	3.8.21
DA 305 Rev E	Elevations sheet 5	3.8.21
DA 306 Rev E	Elevations sheet 6	3.8.21
DA 307 Rev E	Elevations sheet 7	3.8.21
DA 308 Rev E	Elevations sheet 8	3.8.21
DA 310 Rev E	Elevations - finishes	3.8.21

DA 311 Rev E	Elevations - finishes	3.8.21
DA 320 Rev E	Section A	3.8.21
DA 321 Rev E	Section B	3.8.21
DA 322 Rev E	Section C	3.8.21
DA 350 Rev E	Artists impression	3.8.21
DA 351 Rev E	Artists impression	3.8.21
DA 360 Rev E	Detail podium section A and B	3.8.21
DA 361 Rev E	Detail podium section C	3.8.21
DA 362 Rev E	Detail podium section CD	3.8.21
DA 405 Rev E	C.O.S and deep soil	3.8.21
DA 408 Rev E	Adaptable apartments	3.8.21
DA 409 Rev E	Adaptable unit plans	3.8.21
DA 410 Rev E	Adaptable unit plans	3.8.21
DA 411 Rev E	Storage plans	3.8.21
DA 412 Rev E	Storage plans	3.8.21
DA 413 Rev E	Storage schedule	3.8.21
DA 415 Rev E	Building separation	3.8.21
DA 416 Rev E	Building separation	3.8.21

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

Drawing no. and revision	Title	Dated
LD-DA 300 Rev 1	GROUND FLOOR PLANTING PLAN AND SCHEDULE	20.8.21
LD-DA 301 Rev 1	GROUND FLOOR - DETAIL PLANTING PLAN 1	20.8.21
LD-DA 310 Rev 1	LEVEL 1 - PLANTING PLAN AND SCHEDULE	20.8.21
LD-DA 311 Rev 1	LEVEL 1 - PLANTING PLAN 1	20.8.21
LD-DA 312 Rev 1	LEVEL 1 - PLANTING PLAN 2	20.8.21
LD-DA 320 Rev 1	PODIUM - PLANTING PLAN AND SCHEDULE	20.8.21
LD-DA 321 Rev 1	PODIUM DETAIL PLANTING PLAN 1	20.8.21
LD-DA 322 Rev 1	PODIUM DETAIL PLANTING PLAN 2	20.8.21
LD-DA 323 Rev 1	PODIUM DETAIL PLANTING PLAN 3	20.8.21

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

Drawing no. and revision	Title	Dated
DA01 Rev E	Childcare floor plan	6.9.21

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

Drawing no. and revision	Title	Dated
19-650-DAC301 Rev F	COVER SHEET AND LOCALITY PLAN	4.8.21
19-650-DAC302 Rev E	GENERAL NOTES AND LEGENDS	22.12.20

19-650-DAC305 Rev F	GENERAL ARRANGEMENT PLAN	4.8.21
19-650-DAC306 Rev F	TYPICAL SECTIONS SHEET 1	4.8.21
19-650-DAC307 Rev F	TYPICAL SECTIONS SHEET 2	4.8.21
19-650-DAC310 Rev G	SITEWORKS AND STORMWATER DRAINAGE PLAN SHEET 1	4.8.21
19-650-DAC311 Rev G	SITEWORKS AND STORMWATER DRAINAGE PLAN SHEET 2	4.8.21
19-650-DAC312 Rev G	SITEWORKS AND STORMWATER DRAINAGE PLAN SHEET 3	4.8.21
19-650-DAC325 Rev F	STORMWATER DRAINAGE CATCHMENT PLAN	4.8.21
19-650-DAC326 Rev E	EXISTING INDICATIVE OVERLAND STORMWATER FLOW	22.12.20
19-650-DAC327 Rev F	PROPOSED INDICATIVE OVERLAND STORMWATER FLOW	4.8.21
19-650-DAC330 Rev E	STORMWATER DETAILS SHEET 1	22.12.20
19-650-DAC331 Rev E	STORMWATER DETAILS SHEET 2	22.12.20
19-650-DAC333 Rev F	OSD TANK 1 PLAN	4.8.21
19-650-DAC334 Rev F	OSD TANK 1 SECTIONS AND DETAILS	4.8.21
19-650-DAC340 Rev F	EROSION AND SEDIMENTATION CONTROL PLAN	4.8.21
19-650-DAC341 Rev E	EROSION AND SEDIMENTATION DETAILS	22.12.20
19-650-DAC350 Rev F	PUBLIC DOMAIN ALIGNMENT CONTROL PLAN	4.8.21
19-650-DAC351 Rev F	PUBLIC DOMAIN PAVEMENT PLAN	4.8.21
19-650-DAC360 Rev F	PUBLIC DOMAIN ALIGNMENT LONGITUDINAL SECTIONS SHEET 1	4.8.21
19-650-DAC361 Rev F	PUBLIC DOMAIN ALIGNMENT LONGITUDINAL SECTIONS SHEET 2	4.8.21
19-650-DAC362 Rev F	PUBLIC DOMAIN ALIGNMENT LONGITUDINAL SECTIONS SHEET 3	4.8.21
19-650-DAC363 Rev F	PUBLIC DOMAIN ALIGNMENT LONGITUDINAL SECTIONS SHEET 4	4.8.21
19-650-DAC370 Rev E	PUBLIC DOMAIN ALIGNMENT CROSS SECTIONS SHEET 1	22.12.20
19-650-DAC371 Rev E	PUBLIC DOMAIN ALIGNMENT CROSS SECTIONS SHEET 2	22.12.20
19-650-DAC372 Rev E	PUBLIC DOMAIN ALIGNMENT CROSS SECTIONS SHEET 3	22.12.20
19-650-DAC373 Rev E	PUBLIC DOMAIN ALIGNMENT CROSS SECTIONS SHEET 4	22.12.20
19-650-DAC374 Rev E	PUBLIC DOMAIN ALIGNMENT CROSS SECTIONS SHEET 5	22.12.20
19-650-DAC375 Rev E	PUBLIC DOMAIN ALIGNMENT CROSS SECTIONS SHEET 6	22.12.20
19-650-DAC376 Rev E	PUBLIC DOMAIN ALIGNMENT CROSS SECTIONS SHEET 7	22.12.20
19-650-DAC377 Rev E	PUBLIC DOMAIN ALIGNMENT CROSS SECTIONS SHEET 8	22.12.20
19-650-DAC378 Rev E	PUBLIC DOMAIN ALIGNMENT CROSS SECTIONS SHEET 9	22.12.20

The development is to be carried out in accordance with the documentation listed below, except where amended by other conditions of this consent and/or any plan annotations:

The development is to be carried out in accordance with:

- The civil plans approved to satisfy conditions within this consent;
- The final public domain plans approved to satisfy conditions within this consent;
- The stormwater plans approved to satisfy conditions in this consent.

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

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

2. The land required for the purpose of securing the implementation of Stage 2 of Parramatta Light Rail, as shown on the following plans, is to be dedicated to the City of Parramatta Council, at no cost to Council:

- Ref Number: 44740 135 AREA, dated 21.5.20, sheet 1 of 1, prepared LTS
- Drawing No DA 103, Revision E, dated 30.8.21, prepared by DKO

Evidence of registration the new lot created for this purpose and its dedication to Council, must be completed prior to the issue of any Occupation Certificate, or otherwise to meet the terms of the Planning Agreement with the Minister for Planning and Open Spaces.

A separate application must be made for a Subdivision Certificate. This application shall not be made until the public domain works have been finalised to Council's satisfaction.

The application for subdivision must be accompanied by a Site Audit Statement, prepared by an auditor accredited under the Contaminated Land Management Act 1997, confirming that the land to be dedicated is free from any contamination and suitable for the proposed use.

Reason: To ensure compliance with legislative requirements.

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

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

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

It is acknowledged the development may proceed in stages, and that separate construction certificates may be issued for separate components within each stage. All relevant terms and conditions are to be met for each stage/component

Reason: To ensure compliance with legislative requirements.

5. 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, unless approved in this consent.

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.

6. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer.

Reason: To minimise costs to Council.

7. This consent does not authorise, approve or provide consent for any of the following:

- Embellishment of the public open space area zoned RE1 and to be dedicated to council.
- Any outdoor dining on public space.

A separate development application must be submitted, and separate development consent received, for any of the above.

Reason: To clarify the terms of this consent.

8. In accordance with the Land Use Safety Study (LUSS) prepared by Arriscar and dated 12 June 2018, an emergency plan shall be provided outlining emergency refuge and/or egress arrangements provided for the development in the event of an incident involving a pipeline.

Reason: to comply with requirements of pipeline operators and to ensure public safety.

9. To ensure the design quality of the development is retained, the approved schedule of external materials of construction shall not be altered without the prior approval of Council.

Reason: To ensure design quality is retained.

Transport for NSW

10. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018.
11. 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.
12. All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.
13. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on the surrounding state classified road network during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>.
14. The relocation of any TfNSW services or infrastructure must only be undertaken with prior consent from TfNSW and to TfNSW Requirements and Standards. The works

must be designed and undertaken by Authorised Engineering Organisations (AEO) at the applicant's cost.

15. All works/regulatory signage associated with the proposed development are to be at no cost to TfNSW.
16. TfNSW, and persons authorised by it for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been or are being constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought.
17. All TfNSW and any future transport operator's costs associated with review of plans, designs and legal must be borne by the applicant.

Reason: To ensure compliance with requirements of RMS including concurrence granted in respect of requirement under ALEP 2010.

Ausgrid

18. *Supply of Electricity*

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

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

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

19. *Proximity to Existing Network Assets, Overhead Powerlines*

There are existing overhead electricity network assets in Uhrig Road.

Safework NSW Document – Work near Overhead Powerlines: Code of Practice, outlines the minimum safety separation requirements between these mains/poles to structures within the development throughout the construction process. It is a statutory requirement that these distances be maintained throughout construction. Special consideration should be given to the positioning and operating of cranes and the location of any scaffolding.

The “as constructed” minimum clearances to the mains should also be considered. These distances are outlined in the Ausgrid Network Standard, NS220 Overhead Design Manual. This document can be sourced from Ausgrid's website, www.ausgrid.com.au.

Should the existing overhead mains require relocating due to the minimum safety clearances being compromised in either of the above scenarios, this relocation work is generally at the developers cost.

It is also the responsibility of the developer to ensure that the existing overhead mains have sufficient clearance from all types of vehicles that are expected be entering and leaving the site.

20. *Underground Cables*

There are existing underground electricity network assets in Uhrig Road.

Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area.

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

It remains the responsibility of the developer and relevant contractors to ensure Ausgrid will have 24/7 access. Should proposal impact the existing assets, suitable arrangements should be made to relocate the assets prior to the commencement of construction so that statutory clearances are not encroached.

Sydney Olympic Park Authority (SOPA)

21. *Construction impacts on SOPA assets*

- (a) Any alterations, modifications, or new retaining wall structures on the boundary adjoining SOPA land shall be submitted and agreed to in writing by SOPA’s Director, Environment and Planning prior to the issue of a construction certificate. The retaining wall should be constructed to the relevant BCA standards and should be maintained by the developer. SOPA cannot accept any responsibility of the wall or an altered/ amended wall.
- (b) Details of the pedestrian footpath at the junction of Uhrig Road / Edwin Flack Lane and the new service lane should be first submitted and agreed in writing by SOPA’s Director, Environment and Planning prior to the issue of a construction certificate.
The details shall include the interface of the pavement between SOPA land the subject site and shall be designed to the relevant specification.
- (c) Given the proximity of excavation and construction works to SOPA’s land, a pre-construction dilapidation report be provided to SOPA detailing the current structural condition of any roads, public domain and/or infrastructure assets including but not limited to the existing retaining wall located to the south east of the site or within the zone of influence.

22. *Construction and traffic management*

The final Construction Traffic Management Plan, required by conditions of this consent, shall be approved by SOPA’s Director, Environment and Planning prior to the issue of any Construction Certificate for the development.

Landscaping

23. Trees equal to or greater than 3.5 metres in height, which are protected under Auburn Development Control Plan 2010 (Tree Preservation), must not be removed or damaged without Council consent, other than as permitted under this Notice.

Reason: To preserve existing landscape features.

Environmental health – general

24. The parking area(s) must drain to a stormwater treatment device capable of removing litter, oil, grease and sediment prior to discharge to the stormwater system, complying with:
- (a) Environment Protection Authority's Environment Protection Manual for Authorised Officers: Technical Section (Stormwater First Flush Pollution);
 - (b) Environment Protection Authority's Managing Urban; and
 - (c) Environment Protection Authority's Managing Urban Stormwater: treatment techniques (1997).

The stormwater treatment device(s) are to be maintained on a regular basis to ensure their functionality. All solid and liquid wastes collected from the device are to be disposed of in accordance with Protection of the Environment Operations Act 1997.

Reason: To prevent pollution of waterways.

25. Car wash bay spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the owners' corporation.

Reason: To protect the local amenity.

26. The operation of the premises is to be conducted in a manner which does not pollute waters as defined by the Protection of the Environment Operations Act 1997.

Reason: To ensure that stormwater drains are not polluted.

27. Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and in accordance with NSW Environment Protection Authority (EPA) Waste Classification Guidelines.

Reason: To prevent pollution of the environment.

28. 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.

Environmental health – waste

29. 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 for collection. A caretaker is to be appointed by the managing body to be responsible for the management of all waste facilities.

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

30. 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.

31. 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.

32. Any garbage chutes must be designed in accordance with the requirements of the Building Code of Australia and the NSW EPA Better Practice Guide for Resource Recovery in Residential Developments. Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.

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

Environmental health – contamination

33. Any new information which comes to light during works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority immediately.

Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health, and to comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Transport for NSW

34. Prior to issue of any construction certificate the developer should engage with and obtain endorsement from TfNSW to confirm the development's civil works provides appropriate provisions for Parramatta Light Rail (PLR) Stage 2. Including, provision of acceptable clearances for curvature, track geometry; and, appropriate property set-backs to accommodate the future infrastructure.

Please contact the TfNSW Light team at da.plr@transport.nsw.gov.au for review and endorsement of the works.

35. Prior to the issue of any construction certificate, the applicant should prepare a detailed Freight and Servicing Management Plan in consultation with TfNSW. The applicant shall submit a copy of the final plan to TfNSW for endorsement via development.sco@transport.nsw.gov.au. The Plan needs to specify, but not be limited to, the following:

- Details of the development's freight and servicing profile, including the forecast freight and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay for all land uses of the development; and
- Details of loading and servicing vehicle parking within the site that adequately accommodates the forecast demand of the development (including long dwell time vehicles) so as to not rely on the kerbside restrictions to conduct the development's business, including any necessary additional loading/service vehicle parking;

- Measures to ensure there is no queuing of freight and service vehicles including details of alternative parking locations to redirect vehicles if queuing occurs;
- Loading bay management details including controls of duration of delivery vehicle stay;
- Management details to ensure all long-term loading and servicing is accommodated within the loading dock;
- Procedures for tradesman access and parking; and
- Details on how the loading area will be managed and used by all building tenants.

The Loading Dock Management Plan shall be implemented by the applicant following the issue of the Occupation Certificate.

36. Prior to the issue of any Construction Certificate, the developer should obtain endorsement from TfNSW to confirm that the development's construction activities will not have an impact Parramatta Light Rail (PLR) Stage 2 development and may have to prepare a Construction Pedestrian Traffic Management Plan (CPTMP) in consultation with TfNSW. Please contact the TfNSW Light team at da.plr@transport.nsw.gov.au to confirm whether a CPTMP is required.

Fees and charges

37. The Construction Certificate for each stage of the works is not to be issued unless the Certifying Authority is satisfied the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

Reason: To ensure that the levy is paid.

38. 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.

39. 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.

40. 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/249/2021;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

Bond Type	Amount
Development site bond	\$25,750.00
Street trees	\$4,120.00

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to the City of Parramatta Council (council@cityofparramatta.nsw.gov.au) 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.

Planning and general

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

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

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

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

43. Documentary evidence to the satisfaction of the 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 entire 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 any street elevation of the building; unless existing or 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.

44. All outdoor lighting must comply with the relevant provisions of AS/NZS 158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Details demonstrating compliance with these requirements must accompany the relevant Construction Certificate application and be to the satisfaction of the Certifying Authority.

Reason: To provide high quality external lighting for security without adverse effects on public amenity from excessive illumination levels.

45. End of trip facilities including showers must be provided within the development and made accessible without charge to cyclists who work in the building. Details must be provided with the plans and specifications accompanying the application for the relevant Construction Certificate.

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

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

The Construction Noise Management Plan must include:

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

Reason: To prevent loss of amenity to the area.

47. The recommendations outlined in the following reports shall be incorporated into the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Principal Certifying Authority (except as amended elsewhere in this Notice):

- (a) Environmental Wind Tunnel Study – SLR Consulting Australia (Ref: 610.16237.02100-R21-v1.1 , dated 30 July 2021)
- (b) Acoustic Report No. 20201052.1/1308A/R2/KNM, dated 13/08/2021, prepared by Acoustic Logic,
- (c) Operational Waste Management Plan, prepared by MRA Environmental, revision 2, dated 11 August 2021;

- (d) NatHERS and BASIX Assessment, including Basix and NatHERS certificates, prepared by Efficient Living, revision H, dated 27/8/21;
- (e) The updated Glare and Reflectivity Assessment submitted to satisfy conditions of this consent.

Reason: To ensure a suitable level of amenity.

48. The developer must lodge a Feasibility application to Sydney Water, including a proposed water and wastewater servicing strategy through a Water Servicing Coordinator (WSC). For help, either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

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

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

Reason: To ensure public safety.

50. Prior to the issue of any Construction Certificate a covenant under section 88E of the Conveyancing Act 1919 shall be registered on the land. The covenant shall burden the land and property substantially in the form of the event covenant used by Sydney Olympic Park Authority, and otherwise to the satisfaction of Council, in relation to disturbance, inconvenience, nuisance, disruption or economic loss arising in connection with the operation of Sydney Olympic Park.

Registered documents showing the covenants and restrictions must be submitted to the Principal Certifying Authority prior to the issue of any Construction Certificate.

Wind mitigation

51. Prior to the issue of any Construction Certificate for works above ground level the PCA must be provided certification from a suitably qualified person that all recommendations within the Environmental Wind Tunnel Study prepared by SLR Consulting Australia (Ref: 610.16237.02100-R21-v1.1 , dated 30 July 2021) have been incorporated into the development.

In implementing the required mitigation measures the following obligations also apply to the relevant Construction Certificate for **building works**:

- a) The suitability of the required additional wind mitigation treatments nominated in the SLR report must be quantified and demonstrated as effective by further wind tunnel testing.

Should that testing identify the need for design amendments then

- Those amendments must be confirmed as acceptable by Council's Design Excellence Advisory Panel; and
- Council will confirm whether or not those amendments trigger the need for an application to modify this consent.

In implementing the required mitigation measures the following obligations also apply to the relevant Construction Certificate for **landscaping works**:

- (b) Details for species of trees/landscaping proposed for wind mitigation, including the required size of landscaping at planting to give immediate effect to wind mitigation, must be submitted and approved to and approved by council's Group Manager, DTSU to ensure the trees/landscaping are appropriate and adequate to achieve the mitigation required by the SLR report noted above.

The information must be supported by an arboricultural assessment, prepared by a suitably qualified professional, which demonstrates that the selected species can survive under the expected wind levels, and assist in mitigating impacts.

Reason: To ensure appropriate mitigation of wind impacts.

Sustainability

52. Prior to the issue of any construction certificate for the ground floor or above, the following must be demonstrated to the satisfaction of the certifying authority:
- (a) A dual reticulation (dual pipe) system is to be installed throughout the development to support the immediate or future connection to a recycled water network – that is, the Sydney Olympic Park Water Reclamation and Management Scheme (WRAMS) or other future Sydney Water recycled water system. If a recycled water network is not currently available, the design of the dual reticulation system is to be such that a future change-over to an alternative water supply can be achieved without significant civil or building work, disruption or cost. To facilitate this, the dual reticulation system is to have:
- One reticulation system servicing drinking water uses, connected to the drinking supply, and
 - One reticulation system servicing all non-drinking water uses.
 - The non-drinking water system is to be supplied with harvested rainwater, with drinking water backup, until such time as an alternative water supply connection is available
53. Prior to the issue of the relevant construction certificate, the following must be demonstrated to the satisfaction of the certifying authority:
- All multi-unit residential car parking must provide an EV Ready Connection to each and every space allocated to residents
 - Provide EV Distribution Board(s) in of sufficient size to allow connection of all EV Ready Connections.
 - Locate EV Distribution board(s) so that no future EV Ready Connection will require a cable of more than 50m from the parking bay to connect.
 - Each EV Ready Connection is served from a cable tray and a dedicated spare 32A circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit.
 - EV Distribution Boards are to be dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods, to ensure impacts of maximum demand are minimised. To deliver this, the distribution board will be complete with an EV Load

Management System and an active suitably sized connection to the main switchboard.

- (f) EV Load Management System is to be capable of:
- Reading real time current and energy from the electric vehicle chargers under management;
 - Determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are full recharged;
 - Scale to include additional chargers as they are added to the site over time.
- Reason:** To provide all necessary infrastructure for residents to install Electrical Vehicle charging without significant technical or financial barriers.

Reflectivity

54. Prior to the issue of any Construction Certificate a further Reflectivity assessment must be submitted to and approved by Council's Group Manager, DTSU. That assessment is to address the following matters:

- (a) Confirm that the Reflectivity Analysis in the SLR report Ref: 610.16237-R20, issue 2, dated September 2021) where it recommends a 'Coefficient of Reflectivity' not greater than 10% for an area of the western façade that such refers to the proportion of light reflected at the normal (0 degrees) angle.
- (b) The Reflectivity Analysis recommends Ultra-low reflective glazing to highlighted northern facades. There is no metric or specific target for the reflective properties of the glazing required. As there is no standard definition for ultra-low reflective glazing, the recommendation is too vague. Therefore, a generic specification of ultra-low reflective glazing is inadequate. The report must address the reflectivity requirements at the angles of concern, and this may require the specification of a specific product as reflectivity at non-normal angle reflection can vary significantly with specialist low reflectivity coatings.
- (c) Ultra-low reflectivity coating will conflict with the coatings required for thermal performance, so the requirements must be integrated.
- (d) The bi-directional travel of light rail vehicles along Uhrig Road that will occur upon completion of Stage 2 of the Parramatta Light Rail project.

Should that report identify the need for design/façade amendments to resolve this matter then Council will confirm whether or not those amendments trigger the need for an application to modify this consent.

The development is to be completed in accordance with any documents approved to satisfy this condition.

Reason: To minimise impacts on the locality.

55. In addition to any requirements arising from conditions elsewhere in this Notice, external materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

Reason: To minimise impacts on the locality.

Traffic and transport

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

Reason: To ensure appropriate vehicular manoeuvring is provided.

57. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6. A total of 588 parking spaces are to be provided and be allocated as follows:

- a) 545 spaces for residential apartments including 41 spaces as accessible parking;
- b) 16 spaces for retail use including one (1) space as accessible parking;
- c) 20 spaces for the child care centre use including one (1) space as accessible parking;
- d) Five (5) parking spaces for the community centre use including one (1) space as accessible parking;
- e) One (1) car share space;
- f) One (1) car wash bay.

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

58. 594 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS2890.3-2015. Details are to be illustrated on plans submitted with the relevant construction certificate.

Reason: To comply with Council's parking requirements.

59. Prior to the issue of the relevant construction certificate, the applicant shall submit a Loading Dock Management Plan, as nominated in the Traffic Impact Assessment report by The Transport Planning Partnership dated 3 February 2021, to the satisfaction of Council's Traffic and Transport Manager. The Plan must address the following matters:

- Delivery requirements and service schedules;
- Operational aspects on how to use facilities; and
- Management duties and responsibilities.

Reason: To avoid reliance on kerbside stopping for service vehicles

60. One (1) car parking spaces is to be allocated for car share parking space. Car share parking spaces shall be publicly accessible at all times, adequately lit and sign posted. Written evidence shall be provided with the development application demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service. The PCA shall ascertain that agreement with a commercial operator is subscribed prior to issue of the construction certificate. Details are to be illustrated on plans submitted with the construction certificate.

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

Engineering

61. Prior to the issue of the relevant Construction Certificate, the applicant shall demonstrate to Council's satisfaction that sufficient freeboard is provided within the

proposed finished floor levels of the ground floor to protect against any overland flooding or stormwater inundation from Uhrig Road and the pedestrian link.

Reason: To ensure that the development is resilient to flooding.

62. 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 the relevant Construction Certificate.

Stormwater details relating to Lot 9 DP1228764 are not to form part of the Construction Certificate as these will be subject to a separate development application. All stormwater infrastructure servicing adjoining lots (i.e. Lots 7 & 8 DP 1228764) proposed to be located within Lot 9 DP1228764 shall be relocated wholly within the adjoining lots.

Reason: To ensure satisfactory stormwater disposal.

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

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

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

Reason: To minimise impact on adjoining properties.

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

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

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

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

65. 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.

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

- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) – 2 hour duration storm event, allowing for pump failure.

- (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
- (c) The permissible site discharge (PSD) rate; or
- (d) The rate of inflow for the one hour, 5 year ARI storm event.
- (e) 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.
- (f) A 100mm freeboard to all parking spaces.
- (g) Submission of full hydraulic details and pump manufacturers specifications.
- (h) 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.

67. Full engineering construction details of the stormwater system, including OSD structures, pipe networks and calculations as per following points, shall be submitted for the approval of the certifying authority prior to release of the relevant Construction Certificate for stormwater works.
- (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the concept Stormwater Plans approved by this consent and with the Auburn DCP, Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code.
 - (i) "Stormwater Management Plan", prepared by at&l, project number 19-650, issue F, dated 04 August 2021
 - (b) A Site Storage Requirement of 325 m³/ha and a Permissible Site Discharge of 150 L/s/ha.
 - (c) Adequate grate(s) to be provided over the HED, Outlet, Water Quality and Pre Treatment chambers and over the OSD storage Tank over the non-return flap valve, so the OSD tank storage area can be inspected from outside for silt and debris.
 - (d) A ventilation stack shall be connected to the OSD storage tank, at the opposite end from the HED chamber to allow for adequate cross ventilation of the OSD/WSUD.
 - (e) The plan view of the OSD/WSUD shall be reflected in the section views, removing any inconsistencies with particular attention which walls are full height and which act as weirs.
 - (f) An emergency flow path shall be created to the street from an access grate of the OSD to cater for emergency surface flows in the event of system blockage or failure.
 - (g) The IL of the OSD tank should be raised to increase the head at the OSD outlet.
 - (h) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

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

68. Water quality treatment devices must be installed to manage stormwater discharge in accordance with the Stormwater Management Report, prepared by AT&L, project no. 19-650, issue C, dated 28 April 2020, to satisfy the requirements of the Carter Street DCP. Plans and details of the proposed devices and their location must accompany the application for the relevant Construction Certificate to the satisfaction of the Certifying Authority.

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

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

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

Reason: To ensure appropriate vehicular access is provided.

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

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

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

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

Reason: To protect Council's infrastructure.

72. Foundations adjacent to a drainage easement are to be constructed in accordance with Council's Development Engineering Design Guidelines. The engineering details are to form part of the Construction Certificate documentation.

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

73. 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.

Urban design – public domain

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

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

Grading of the pedestrian footway:

- Detailed design spot levels and designed contour lines are required.
- 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.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Council. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.

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

- The latest City of Parramatta Public Domain Guidelines (PDG);
- The approved (D08207301) Public domain landscape drawings; and
- All the conditions listed in this consent.

The Public Domain Construction Drawings must be prepared to reflect the following changes:

- The public domain is designed in accordance with the street section illustrated in Figure 8 (Uhrig Road North typical plan and section) of the Carter Street Precinct Development Framework 2020
- The turning circle road geometry at Uhrig Road North is now redundant. The turning circle should be removed and kerb alignment amended to provide a consistent carriageway width as per the Carter Street DCP, aligning with kerbs at Edwin Flack Avenue as instructed in Condition 12 of the Development Application Notice of Determination for DA/232/2018, dated 8 June 2018.

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

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

Footpath

Pedestrian Link

Pavement to match existing pedestrian link between Phase 2A and 2B; 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 area

of the pedestrian link. Paver finish, dimensions and layout to be confirmed with onsite inspection and photo record of existing pedestrian link between Phase 2A and 2B. For unit paving, the footpath paving set out and details must comply with Council's design standard (DS40, sheet 1-3).

Uhrig Road Footpath

- a) Footpath should be a consistent width (3m) and have a consistent alignment (straight and parallel to kerb) along Uhrig Road.
- Street scape design and building interface trees and landscape must be in accordance with Figure 8 (Uhrig Road North typical plan and section) of the Carter Street Precinct Development Framework 2020

General Footpath

The standard concrete paving, as per the PDG, shall be applied to Uhrig Road, West and North Street footpath areas (except the town centre).

Detailed design spot levels and designed contour lines are required. The pedestrian footpath shall comply with the following requirements:

- a) The footpaths must achieve a cross fall of minimum 1% - maximum 2.5%.
- b) The footpaths should positively drain away from the property boundary/ building line
- c) Localised flattening of public footpath at building doorways and property entries is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line.
- d) Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Council. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.
- e) A foot path width of 1800mm is required.

Kerb Ramps

Kerb ramps must be designed and located in accordance with Council's design standards (DS3 for insitu concrete paths and DS40, sheet 1-3, for concrete pavers). Ramps are to be aimed to the ramp on the opposite side of the road.

Vehicle Crossing

West Street driveway detail should reflect DS 40 (sheet 3) Detail 7 and 8 – Typical vehicular crossing plans from City of Parramatta's Engineering Details.

Pit lids and grates

A schedule of proposed pit lid and grate finishes is to be submitted with the Public Domain Construction Drawings set. 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 Council DTSU Manager for approval prior to the issuing of a Construction Certificate and again prior to the issuing of an Occupation Certificate.

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.

- a) TGSI's are required at the top and base of each flight/ramp, to comply with AS1428.4.1 (2009) including its amendment in 2010.
- b) TGSI's are not required on a landing where handrails continue through the landing.

Clear Path of Travel (Shore-Lining)

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

Lighting

Pedestrian and street lighting shall be to Council's requirements and Australian Standards. All the lighting features in the public domain shall be detailed in the Public Domain Construction Documentation. All new LED luminaires shall include 7pin NEMA socket.

Multi-media conduit

A conduit for Council's multi-media facilities shall be installed to the full length of the street frontages on Uhrig Road and Carter Streets. The conduit must be positioned and installed in accordance with Council's design standard drawing and specifications as per Council's Safety Officer advice.

Applied to Publicly Accessible Private Space:

Non-slip surface – for non-council Standard Pavements

The applicant shall provide test results (after applying paving sealant) to prove applicable pavement material and finishes used in the publicly accessible areas and any plaza areas are **non-slip surfaces** that comply with a P4 rating as per AS4586:2013. Independent slip resistance test results to P5 Classification (Wet Pendulum Test) of completed works should be submitted.

Steps

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

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

Handrails

Handrails must comply as follows:

- Handrails installed on each side of the stair.
- Landing area designed to sufficiently accommodate the required TGSI and handrail projection, which must be outside pedestrian path of travel and circulation spaces.
- Design of handrail according to AS1428.1:2009.
- Diameter of handrail 30-50mm.
- Clearance behind the handrail at least 50mm.

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.

Street Furniture

Street furniture selection and detail shall be to Council's requirements where the furniture is located in publicly owned land. Street furniture in the public domain must comply with Council's Public Domain Guidelines and at least 50% must offer backrests and arms.

Cycle racks

Public bike racks to service the retail area shall be supplied and equally distributed (clusters of max 4-off racks) to the furniture zone of the pedestrian link / Uhrig Road as per the PDG. Location outside of this zone to be agreed by Council's DTSU Manager prior to issue of Construction Certificate.

Cycle racks are to be located so that bicycles do not encroach onto the public footway.

Reason: To comply with the Public Domain Guidelines.

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

Street Name	Botanical Name	Common name	Pot Size	Qt	Average Spacing
Uhrig Road	Zelcova serrata 'Green Vase'	Japanese Elm	200L	16	As shown on the approved drawings or as agreed by Council's DTSU Manager
West Street	Flindersia australis	Australian Teak	200L	9	As shown on the approved drawings or as agreed by Council's DTSU Manager
North Street	Corymbia maculata	Spotted Gum	200L	4	As shown on the approved drawings or as agreed by Council's DTSU Manager

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.*

All trees supplied must be grown in accordance with AS2303:2018 (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 AS2303:2018. 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.

The requirements for height, calliper and branch clearance for street trees should be in accordance with AS2303:2018.

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 with adequate clearances to other street elements in accordance with the Public Domain Guidelines.

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

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

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

Reason: To ensure high quality street trees are provided.

77. All the common areas proposed within the site, including rooftop terraces, 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.

Landscaping

78. Plans and documents submitted must include the following with an application for the relevant 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.
 - (b) All raised planting boxes/beds containing trees must be retained to a minimum height of 1,000mm.
 - (c) All on structure raised planting containing turf to ensure minimum 200mm soil depth and water availability is achieved.
 - (d) Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended sections and details.
 - (e) A specification for soil type by a suitably qualified Soil Scientist, to ensure sufficient nutrient and water availability is achieved.
 - (f) A maintenance schedule to cover all landscape areas including access for turf cutting/regime within the level 4 podium.

Reason: To ensure the creation of functional gardens.

79. The final landscape plan must be consistent with those at condition 1 plans, together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:
- (a) Deletion of *Rhaphiolepis umbellata* (Yeddo Hawthorn) as it is considered an environmental weed in some regions of Greater Sydney and NSW. Suitable replacement species include (but are not limited to) the following;
 - *Correa* 'Ivory Bells' (White Australian Fuchsia)
 - *Hymenosporum flavum* 'Gold Nugget' (Dwarf Native Frangipani)
 - *Plectranthus* 'Mona Lavender' (Spur Flower)
 - *Rhaphiolepis indica* 'Oriental Pearl' (Oriental Pearl Indian Hawthorn)
 - (b) To resolve the concerns of Council's Design Excellence Advisory Panel, the following additional measures are to be included in the landscape works:
 - the indoor pool requires connection to an outdoor gathering and seating space
 - The additional soft landscaping adjacent to the south face of the northern tower must be used to provide more seating/relaxing areas.
 - The boundary with Grazier remains unclear. Opportunities for some interaction with the public domain via landscaping, seating and shading should be provided on site

Reason: To ensure appropriate landscaping is implemented.

Environmental health – general

80. An open service area measuring at least 7.6 metres x 3.0 metres is to be provided for use by residents for car cleaning and washing activities. This area is to be suitably located, paved, graded and drained. All waste water from the car wash bay shall be discharged to sewer under a Trade Waste Agreement from Sydney Water. This may require the installation of a pre-treatment device. Alternative water management and disposal options may be appropriate where water is recycled, minimised or re-used on the site.

The means of disposal shall comply with:

- EPA's *Environment Protection Manual for Authorised Officers: Technical Section (Car Washing Waste)* and *Managing Urban Stormwater: treatment techniques*

Details are to be submitted with the construction certificate.

Reason: To designate a car washing area within the development and to ensure waste water is properly managed.

Environmental health – waste

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

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

Environmental health – acoustic

82. 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 appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on residential buildings from rail corridors and/or busy roads:
- (a) In any bedroom in the building: 35dB(A) between 10pm – 7am
 - (b) Anywhere else in the building (other than a garage, hallway, kitchen or bathroom: 40dB(A) at any time.

Reason: Compliance with relevant noise amenity criteria in Infrastructure SEPP.

83. 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 appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on child-care centres from rail corridors and/or busy roads:
- (a) In any area: 40dB(A) at any time.

Reason: Compliance with relevant noise amenity criteria in Infrastructure SEPP.

Child Care Centre

84. Detailed plans of any food / beverage preparation facilities and waste storage areas shall be submitted to the principal certifying authority (PCA) prior to the issue of the relevant construction certificate.

The fit-out of the food premises shall comply with:

- (a) Australian Standard AS4674-2004 - Design, Construction and Fit-out of Food Premises.
- (b) Food Safety Standards
 - Standard 3.2.2 Food Safety Practices and General Requirements
 - Standard 3.2.3 Food Premises and Equipment
- (c) The cool rooms shall be provided with safety devices to comply with G1.2 of the BCA.
- (d) No approval is granted for any remote storage area.
- (e) The business being registered with City of Parramatta (retail) or NSW Food Authority (wholesale/retail meat/manufacturer).
- (f) Comply with the requirements of Sydney Water – Trade Waste Section (grease trap).

If a Private Certifier is to be used, the final inspection shall be carried out by a suitably qualified person to ensure that food standards are met. Council's Environmental Health Officer may be engaged to carry out the required inspection for a prescribed fee.

Reason: To ensure design of the premises meets relevant public health standards.

PRIOR TO WORKS COMMENCING

Planning and general

85. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate(s) 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(s) when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

86. 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.

87. 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;
- (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.

Reason: Statutory requirement.

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

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

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

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

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

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

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

89. 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, and will be consistent with boundary setbacks as shown on the approved plans. 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.

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

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

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

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

All work must be undertaken in manner consistent with the terms of this Plan.

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

92. No part of a tower crane is to extend, operate or otherwise encroach the airspace of any adjoining properties at any time, including outside construction work hours, unless an agreement to do so has been reached between the developer and any

relevant property owner/s, including any Strata body. Such agreement must be in place prior to installation of any component of the tower crane.

Reason: To preserve the amenity of adjoining property and ensure consistency with the requirements of Council's Hoarding and Tower Crane Policy 233.

Engineering

93. 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.

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

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

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

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

Reason: Management of records.

95. Details of the proposed road and drainage works within the public domain shall be approved by Council's Civil Infrastructure Unit prior to commencement of any work.

Reason: To ensure adequate civil infrastructure is provided.

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

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

97. 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.

98. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:
- (a) Protect and support the adjoining premises from possible damage from the excavation
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage.

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

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

99. 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.

100. 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.

Traffic and transport

101. Prior to the commencement of any works on site, the applicant must submit a Construction and Pedestrian Traffic Management Plan (CPTMP) to the satisfaction of Council's Traffic and Transport Manager. The CPTMP shall be prepared by a suitably qualified and experienced traffic consultant. The following matters must be specifically addressed in the CPTMP:

- (a) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- (b) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
- (c) The location of proposed Work Zones in the egress frontage roadways,
- (d) Location of any proposed crane standing areas,
- (e) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- (f) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- (g) The provisions of an on-site parking area for employees, trade person and construction vehicles as far as possible,
- (h) 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,
- (i) A detailed description of locations that will be used for layover for trucks waiting to access the construction site,
- (j) Proposed construction hours,
- (k) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements,
- (l) Construction program that references peak construction activities and proposed construction 'Staging',
- (m) Any potential impact to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works,
- (n) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified,
- (o) The plan may be required to include restrictions on the number of trucks that can access the site in peak hours and a requirement for the developer to provide video footage of the frontage of the site on a weekly basis so that Council can enforce this requirement,
- (p) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road if applicable, and,
- (q) A schedule of site inductions on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations,

The CPTMP is to include the provision of a sign on the hoarding that provides a phone number and email address for members of the local community to make enquires or complaints regarding traffic control for the site. The construction company for the site is to provide a representative for meetings that may occur once a month and may include representatives of the local community and Council staff to discuss traffic control at the site.

Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Work 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 'Work 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.

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.

Approval shall be obtained from City of Parramatta Council for any temporary road closure or crane use from public property.

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

Environmental health – general

102. Erosion and sediment control measures are to be installed in accordance with the publication 'Urban Stormwater: Soils and Construction "The Blue Book" 2004 (4th

edition) prior to the commencement of any demolition, excavation or construction works upon the site. These measures are to be maintained throughout the entire works.

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

Environmental health – acoustic

103. A noise management plan must be submitted to Council for approval prior to any work commencing, and complied with during any construction works. The plan must be prepared by a suitably qualified person, who possesses qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

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

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

Reason: To maintain appropriate amenity to nearby occupants.

DURING WORKS

Planning and general

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

Reason: To ensure compliance with this consent.

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

Reason: To protect the amenity of the area.

106. 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.

107. The applicant must not enter or undertake any work within any adjoining public parks or reserves without the prior written consent of Council.

Reason: Protection of existing public infrastructure and land and to ensure public safety and proper management of public land.

108. All work (excluding demolition which has separate days and hours outlined below) including building, and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools, machinery etc.) in connection with the proposed development must only be carried out between the following hours:

- Monday to Friday inclusive: 7:00am and 5:00pm; and
- Saturday: 8:00am and 5:00pm.
- No work is to be carried out on Sunday or Public Holidays.

Demolition works are restricted to:

- Monday to Friday inclusive: 7:00am and 5:00pm; and
- No work is to be carried out on Saturday, Sunday or Public Holidays.

Reason: To protect the amenity of the area.

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

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

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

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

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

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

Reason: To protect the amenity of the area.

111. Survey certificates must be submitted to the Principal Certifying Authority at footing and/or formwork stage. The certificates must indicate the location of the buildings in relation to all boundaries, and must confirm that **boundary setbacks** of each building, every **floor level** of each building, and **the separation distances** between each building, is consistent with that approved under this consent **prior to any further work proceeding** on the building. These certificates shall be forwarded to the Principal Certifying Authority prior to pouring of the relevant footings or slabs and/or the construction of any walls/posts.

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

Engineering

112. Stormwater must be connected to Council's stormwater drainage system in Uhrig Road.

Reason: To ensure satisfactory storm water disposal.

113. 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.

114. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

Reason: To protect public safety.

115. 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.

Traffic and transport

116. 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.

117. Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal), prior to driving through local roads within the City of Parramatta LGA.

Reason: To ensure maintenance of Council's assets.

Landscaping

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

Reason: To ensure appropriate landscaping.

119. Trees to be removed are:

Tree no.	Species	Common Name	Location
1	<i>Ficus superba</i> var. <i>henniana</i>	Deciduous strangler fig	Northern boundary
2	<i>Phoenix canariensis</i>	Canary Island Date Palm	Northern boundary
2a	<i>Callistemon viminalis</i>	Weeping bottlebrush	Northern boundary
3	<i>Tristanopsis laurina</i>	Water Gum	Northern boundary
4	<i>Callistemon viminalis</i>	Weeping bottlebrush	Northern boundary
5	<i>Harpephyllum caffrum</i>	Kaffir Plum	Street tree Uhrig Road
6	<i>Harpephyllum caffrum</i>	Kaffir Plum	Street tree Uhrig Road
7	<i>Tristanopsis laurina</i>	Water Gum	Northern boundary
8	<i>Syzygium smithii</i>	Lilly Pilly	Northern boundary
9	<i>Phoenix canariensis</i>	Canary Island Date Palm	Northern boundary
10	<i>Corymbia citriodora</i>	Spotted Gum	Northern boundary
11	<i>Corymbia citriodora</i>	Spotted Gum	Northern boundary

Reason: To facilitate development.

120. 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.

121. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Safe Work Australia Guide to managing risks of tree trimming and removal work.

Reason: To ensure works are carried out in accordance the Safe Work Australia Guide to managing risks of tree trimming and removal work.

Environmental health – general

122. 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.

123. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and Australian & New Zealand Guidelines for Fresh & Marine Water Quality. Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason: To prevent pollution of waterways.

Environmental health – waste

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

Reason: To confirm waste minimisation objectives are met.

125. 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 EPA'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.

Environmental health – contamination

126. Any fill material imported to the site is to be virgin excavated natural material (VENM) and is to be certified as such by a suitably qualified industry professional. Records of each individual certification are to be kept on site and produced for inspection when requested.

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

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

Reason: To ensure appropriate disposal of asbestos materials.

128. 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.

Urban design – public domain

182. 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. 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.

130. Any defects raised by Council officers during the above construction and defects period inspections will be notified in writing. Defects may include incorrect location of elements, unsatisfactory construction techniques or finishes, or any other non-compliances with the approved plans and specifications or the public domain guidelines.

All defects raised by Council's officer during the construction period or defects liability period need to be rectified prior to and signed off at the final defects inspection by Council's officer in order to achieve Occupation Certification. This applies to both Council and privately certified projects.

Reason: To ensure any defects are rectified.

PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE

Transport for NSW

131. Prior to the commencement of the first occupation certificate, a Green Travel Plan (GTP) should be in place to promote the use of active and sustainable transport modes. The GTP must:
- be prepared by a suitably qualified traffic consultant;
 - include objectives and modes share targets (i.e. site and land use specific, measurable and achievable and timeframes for implementation) to define the direction and purpose of the GTP;
 - include specific tools and actions to help achieve the objectives and mode share targets;
 - include measures to promote and support the implementation of the plan;
 - identification of a responsible party (or Committee) for the ongoing implementation of the Travel Plan and its initiatives;
 - confirmation of extent and nature of end of trip facilities and bike parking and how they will be promoted to residents;
 - consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets;
 - Include a Transport Access Guide that provides information to residents about the range of travel modes, access arrangements and supporting facilities that service the site; and
 - Identification of a communications strategy for conveying Travel Plan information to residents, including for the Travel Access Guide.

Planning and general

132. A monetary contribution comprising \$2,773,769.68 is payable to the City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the Carter Street Precinct Development Contributions Plan 2016. 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 occupation certificate or two years from the date of any construction certificate, whichever is earlier.

A bank guarantee, guaranteeing the entire contribution amount and in accordance with Carter Street Precinct Development Contributions Plan 2016, must be provided 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.

The Carter Street Precinct Development Contributions Plan 2016 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.

133. No Occupation Certificate shall be issued until documentary evidence to the satisfaction of Council's Group Manager, DTSU, has been provided demonstrating that:
- (a) all obligations under the Planning Agreement with Minister for Planning and Open Space, dated 16 December 2020 have been satisfied.

- (b) all obligations under the Community Centre Works Agreement with City of Parramatta Council, dated 14 September 2021 have been satisfied.
 - (c) all obligations under the Open Space Works Agreement with City of Parramatta Council, dated 14 September 2021 have been satisfied.
134. Occupation or use of the building or part is not permitted until Occupation Certificate(s) have been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

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

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

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

Reason: To comply with statutory requirements.

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

- (a) Environmental Wind Tunnel Study – SLR Consulting Australia (Ref: 610.16237.02100-R21-v1.1 , dated 30 July 2021)
- (b) Acoustic Report No. 20201052.1/1308A/R2/KNM, dated 13/08/2021, prepared by Acoustic Logic,
- (c) Operational Waste Management Plan, prepared by MRA Environmental, revision 2, dated 11 August 2021;
- (d) NatHERS and BASIX Assessment, including Basix and NatHERS certificates, prepared by Efficient Living, revision H, dated 27/8/21;
- (e) The updated Glare and Reflectivity Assessment submitted to satisfy conditions of this consent.

Reason: To ensure a suitable level of amenity and demonstrate compliance with submitted reports.

137. Prior to the issue of the first Occupation Certificate (Interim or Final) 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.

Reason: To ensure developments are appropriately numbered.

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

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

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

139. Street number(s) for each building and retail tenancies (as appropriate) are to be placed on the site in a readily visible location from a public place prior to the issue of the relevant Occupation Certificate. The numbers are to have a minimum height of 75mm.

Reason: To ensure a visible house number is provided.

140. The developer must submit to the Principal Certifying Authority a letter from provider authorised under the Telecommunications Act 1997 confirming satisfactory arrangements have been made for the provision of telephone and cable television services, prior to the release of the any Occupation Certificate.

Reason: To ensure provision of appropriately located telecommunication facilities.

141. 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 any Occupation Certificate.

Reason: To ensure appropriate electricity services are provided.

142. The following conditions shall be complied with:

- (a) For safety, access to the swimming pool must be restricted by fencing or other measures as described by the Swimming Pools Act 1992, the Swimming Pool Regulation 2008, and Australian Standard AS1926 Parts 1 and 2 - 2007. The fencing or other measures must be completed prior to any water being placed in the pool.
- (b) Any mechanical equipment associated with the swimming pool and spa shall be located in a sound-proof container and positioned so that noise levels associated with spa/pool pumping units shall not exceed 5 dBA at the boundaries of the site.
- (c) To maintain the visual amenity of the area, devices or structures used for heating swimming pool water must be placed where it is not visible from a public place.
- (d) To ensure the proper disposal of polluted waters and to avoid runoff nuisance for downstream properties, all drainage including any overland waters associated with the pool and spa must be pipe-drained to the nearest sewer system in accordance with the requirements of Council. No drainage, including overflow from the pool or spa shall enter Council's stormwater system.
- (e) For the purpose of health and amenity, the disposal of backwash and/or the emptying of a swimming pool into a reserve, watercourse, easement or storm water drainage system is prohibited. These waters are to discharge via a permanent drainage line into Sydney Water's sewer in accordance with Australian Standard AS3500. Permission is to be obtained from Sydney Water prior to the emptying of any pool to the sewer.
- (f) Lighting from the swimming pool and other communal facilities shall not detrimentally impact the amenity of other premises and adjacent dwellings.
- (g) The occupier of any premises on which a swimming pool is situated must ensure that there is at all times a sign which must contain the words "YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL", "POOL

GATES MUST BE KEPT CLOSED AT ALL TIMES”, and “KEEP ARTICLES, OBJECTS AND STRUCTURES AT LEAST 900 MILLIMETRES CLEAR OF THE POOL FENCE AT ALL TIMES”,

- (h) A simple flow sequence (which may be the flow sequence depicted in the Cardiopulmonary Resuscitation Guideline) containing details of resuscitation techniques for infants, children and adults. This sign is to be displayed in a prominent position in the immediate vicinity of the swimming pool.

Reason: To ensure compliance with the Swimming Pools Act 1992, the Swimming Pools Regulation 2008 and the National Construction Code together with maintaining amenity.

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

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

144. 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.

Any 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.

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

The report is to be submitted to the PCA prior to the issue of any Occupation Certificate. In ascertaining whether adverse structural damage has occurred to adjoining buildings/ infrastructure, the PCA must compare the post-construction dilapidation report with the pre-construction dilapidation report, and require rectification of all instances of damage.

A copy of this report is to be forwarded to Council electronically at council@cityofparramatta.nsw.gov.au.

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

146. 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.

147. 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.

148. Prior to the issue of any Occupation Certificate the following measures shall be installed to address CPTED considerations:

- (a) The applicant shall install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the buildings. The cameras must include the foyer area to the buildings. CCTV cameras should also cover any communal areas, lifts, public spaces and the basement car parks. Recordings should be made twenty four (24) hours a day seven (7) days a week. The time and date must automatically be recorded on all recordings made whilst it is recording. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed;
- (b) Wayfinding measures within parking levels;
- (c) Internal and external lighting to Australian Standards.
- (e) Fire exit doors should be fitted with measures to restrict unauthorised access.
- (f) A 'swipe' card system or the like shall be used to control access to all service areas.
- (g) Letterboxes shall be provided with locks;
- (h) Intercom facilities should be incorporated into entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development

Reason: To comply with CPTED requirements.

149. Separate consent, either via a development application or a Complying Development Certificate if appropriate, shall be obtained for any subdivision of the buildings.

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

150. Prior to the issue of any occupation certificate, built-in cabinetry shall be installed in all rooms denoted as 'study' to ensure no conversion to bedrooms. The Principal Certifying Authority shall be satisfied that this requirement has been completed.

151. Prior to the issue of any Occupation Certificate, the Principal Certifying Authority shall be satisfied that all matters relating to the management risks associated the pipelines (construction risks and individual/societal risks) have been completed, or are in place.

152. Prior to the issue of any occupation certificate written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority stating that:

- (a) 73 apartments are adaptable dwelling(s) which achieve a class C design in accordance with the requirements of AS 4299 -1995, as outlined on the plans approved at condition 1 .
- (b) The completed development otherwise addresses the requirements of AS1428, the Building Code of Australia (BCA), DDA Access to Premises Standards (including DDA Access Code) to ensure consistency with the obligations of the Commonwealth Disability Discrimination Act (DDA).

Reason: To ensure legislative requirements are met.

153. The applicant shall provide an Instrument under the relevant sections of the Conveyancing Act 1919, to the satisfaction of council. The Instrument shall detail all Positive Covenants, Restrictions on the Use of the Land and Easements as necessary, and to address the following matters:

- (a) Show rights of way or easement for pedestrian link.
- (b) Show all rights of way or easements for all basement levels to allow for private and public vehicle access, including service vehicles.
- (c) Easements for all services.
- (d) Easement for any awning(s) overhanging public domain or RE1 zoned land.
- (e) All other matters as nominated in this consent.

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

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

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

Reason: To ensure maintenance of facilities and access.

154. Prior to the issue of any Occupation Certificate the PCA shall be provide with certification from a suitably qualified person that the lifts installed in the development satisfy the following:

- Table 1 Simulation Results of the Traffic Analysis for Carter 3 – Tower B report prepared by Kone, dated 2.8.2021
- Table 1 Simulation Results of the Traffic Analysis for Carter 3 – Tower D report prepared by Kone, dated 3.6.2021

Reason: To ensure convenient access is available for users of the building.

155. Prior to the issue of an Occupation Certificate the PCA shall be provided with evidence that an Occupation Certificate has been issued for related DA/34/2021.

156. 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. 1235273M dated 27/8/21 and Basix Certificate No. 1234921M dated 27/8/21, will be complied with prior to occupation

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

Child Care Centre

157. Prior to the issue of any Occupation Certificate for the Child Care Centre, a Plan of Management is to submitted to and approved by Council's Group Manager, Development and Traffic Services, which at a minimum addresses the following matters:

- (a) detailed schedule of time spent outside for each group of children which follows the recommendations within the report prepared by Acoustic Logic dated 13/8/21 (Ref: 20201052.1/1308A/R2/KNM, Rev 2) which limits outdoor play to a maximum of 4 hours each day, in two blocks of 2 hours, and otherwise addresses all recommendations of that same report.
- (b) An evacuation plan complying with AS 3745, which must consider
 - The mobility of children and how that will be managed during an evacuation
 - The location of safe congregation areas away from the evacuated building, busy roads and other hazardous areas
 - The supervision of children during the evacuation and at the safe congregation area with regard to the capacity of the centre and the child/staff ratios
 - Where the child care centre is part of a larger building or complex, the emergency evacuation plan must be complimentary and consistent with any other emergency evacuation plans.
- (c) The days and times that the Child Care Centre will be open
- (d) Staff numbers
 - Education and Care Services National Regulation staff numbers will be determined by the amount of children present within each play room as well as their age group.
 - At full capacity, the centre requires a teacher / supervisor to be present within the play rooms plus a separate managing director.
 - A staff member with cooking qualifications would be required to prepare meals at meal time or a chef to be hired or an external food preparing company to be contracted to provide meals
- (e) Traffic and parking
 - Car parking spaces should be provided in line with the terms of the DA consent.
 - Arrangements for ensuring that children and parents pedestrian movements are effectively and safely managed during peak pick up and drop off periods should be included in the Plan of Management.
- (f) Indoor and outdoor play areas
 - Provide a minimum of 3.25m² of unencumbered space per child indoor, and 7m² of unencumbered space outdoor.
 - Transition between indoor and outdoor spaces.
- (g) Complaints
 - How any formal complaints made by neighbours/ parents of the children or the general public will be taken and recorded are required.
 - How measures shall be taken to address and resolve the problem, and preventing the occurrence happening again.
- (f) Measures to manage child safety
 - Itemised list of measures which will be undertaken in order to manage child safety in and around the proposed centre including:
 - Fire evacuation, in particular with regard to the multi-level nature of the service
 - Prevention of a child escaping
 - Supervision and surveillance within the centre

Reason: To ensure compliance with the acoustic report.

Engineering

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

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

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

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

159. 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 and water sensitive urban design (WSUD) 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.

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

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

161. Prior to the issue of any Occupation Certificate, an application is required to be obtained from Council for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment.

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

The application for a driveway crossing requires the completion of the relevant application form and be accompanied by detailed plans showing, grades/levels and specifications that demonstrate compliance with Council's standards, without conflict with all internal finished surface levels. The detailed plan must be submitted to Council's Civil Assets Team for approval prior to commencement of the driveway crossing works. 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: Pedestrian and Vehicle safety.

162. 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 the relevant Occupation Certificate. All costs must be borne by the applicant.

Reason: To provide satisfactory drainage.

163. A Building Management Statement must be prepared which incorporates all necessary actions to:
- (a) maintain and operate the On Site Detention and Water Sensitive Urban Design stormwater treatment facilities within the site.
 - (b) implement the plan, required elsewhere in this Notice, for emergency refuge and/or egress arrangements in the event of an incident involving a pipeline.
 - (c) Maintenance of all landscaping, canopies, screens and the like in accordance with the recommendations within the report by SLR Consulting Australia (Ref: 610.16237.02100-R21-v1.1 , dated 30 July 2021)
 - (d) Details confirming the prohibition of residents using all parking provided for non-residential uses;

Details of the plan shall be submitted for the approval of the PCA, and registered with NSW Land Registry Services prior to release of any Occupation Certificate.

Reason: To ensure the development operates in accordance with this Notice

Traffic and transport

164. Prior to the issue of any Occupation Certificate, a Green Travel Plan is to be submitted to Council, supported by details of how that Plan will be implemented. The plan is to include:

- (a) Targets to reduce single occupant car trips to the site for the journey to work and business travel based on an initial estimate of the number of trips to the site by mode,
- (b) Measures to achieve the targets including a list of specific tools or actions,
- (c) Monitoring Scheme including annual travel survey to estimate the change in travel behaviour to and from the site and a review of the measures based on the results of the travel survey.

It is recommended that the plan consider an Opal Card with credit and information pack on public transport to be provided to the new residents and staff to encourage use of public transport. The Green Travel Plan shall be incorporated into or annexed to the strata management plan for the residential and retail units in perpetuity.

Reason: To comply with the DCP.

Urban design – public domain

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

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 two 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.

Landscaping

166. 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 any Occupation Certificate.

Reason: To ensure restoration of environmental amenity.

167. All landscape works shall be maintained for a minimum period of one (1) year following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions.
Reason: To ensure restoration of environmental amenity.

Waste

168. Prior to the issue of any Occupation Certificate, communal waste facilities and associated vehicle access on the site shall be **inspected and approved** by Council's Waste Service Team. Written confirmation of the waste facility approval from Council shall be submitted to the Principal Certifying Authority before the issue of any Occupation Certificate.
Reason: To ensure that appropriate waste collection facilities are provided.
169. Prior to the issue of any Occupation Certificate, a waste lockbox is to be purchased from Council and installed in an agreed location between Council and the applicant. The location can be determined during onsite inspection by Council's Waste Service Team.
Reason: To ensure appropriate access for waste collection
170. Prior to the issue of any Occupation Certificate, a draft strata by-law with the insertion of waste specific by-laws is to be provided to Council's Waste Service Team. The waste specific by-laws can be provided by Council's Waste Service Team.
Reason: To ensure that appropriate waste collection facilities are adequately managed by the authorised representatives and occupants of the building and to ensure no waste activities generated on site is placed on public land.
171. Prior to the issue of any Occupation Certificate the applicant shall provide documentation to demonstrate registration of the following easements:
- (a) An easement enabling required access by Council for the purpose of collecting domestic waste. The terms of the easement shall be approved by Council's Supervisor Waste Services prior to registration of that easement. In this regard the easement must be in a form prescribed by Council and must include covenants to the effect that parties will not be liable for any damage caused to the property by reason of the operation of any vehicle or other equipment used in connection with the collection of garbage and to the effect that the owner of the land shall indemnify the Council, its agents and persons.
172. Prior to issue of any Occupation Certificate, the applicant shall enter into a commercial contract for the collection of trade wastes and recyclable materials arising from non-residential use on the site. A copy of all-waste contracts and receipts shall be kept on site and made available to Council officers on request.
- All bins must be sorted on site and screened from public view. All bins must be collected on site.
Reason: To comply with the Requirements of the Protection of the Environment Operations Act 1997 and Regulations.
173. Adequate ventilation to the waste storage room shall be provided in accordance with the requirements of the Building Code of Australia. Certification that the system functions in accordance with Australian Standard AS 1668 is to be provided to the certifying authority prior to occupation of the premises.
Reason: To ensure appropriate waste storage facilities are provided for future occupants.

THE USE OF THE SITE

Planning and general

174. The specific commercial/retail tenancies must be the subject of further development approval for such use or occupation.

Reason: To ensure development consent is obtained prior to that use commencing.

175. No outdoor seating or dining associated with the retail tenancies is permitted until evidence is provided that wind tunnel testing confirms likely areas for such seating will achieve the relevant wind safety and comfort criteria. .

Prior to the issue of an Occupation Certificate an appropriate covenant or restriction under the Conveyancing Act 1919 must be created, with Council prescribed as having the authority to vary or release that obligation.

176. 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.

177. No advertisement/signage shall be erected on or in conjunction with the development without prior consent. This includes 'lifestyle' graphics or the like.

Reason: To protect the amenity of the area.

178. No A-frame signs or sandwich boards are permitted.

Reason: To protect the amenity of the area.

179. No materials, goods or vehicles associated with the use of the premises are to be stored or displayed on or within the street reserve or other public area.

Reason: To ensure the integrity of Council's assets is protected and to ensure unobstructed pedestrian movement in the vicinity of the proposal.

180. The swimming pool and gymnasium facilities are not to be operated for general commercial purposes and access shall be restricted to residents only.

Reason: To protect the amenity of the area.

181. The owner/manager of the site is responsible for the removal of all graffiti from buildings, structures, fencing etc. within 48 hours of its application.

Reason: To ensure the removal of graffiti.

Child Care Centre

182. This consent does not authorise the use or operation of the child care centre, except where the operator and all employees are in possession of a current valid license from the NSW Department of Education and Communities in accordance with the National Quality Framework requirements.

Reason: Compliance with legislative requirements.

183. The child care centre shall provide a maximum of 75 places.

Reason: Compliance with legislative requirements

184. The days and hours of operation of the child care centre are restricted to:

Day	Time
Monday	7.00 am – 6.00pm
Tuesday	7.00 am – 6.00pm
Wednesday	7.00 am – 6.00pm
Thursday	7.00 am – 6.00pm
Friday	7.00 am – 6.00pm
Saturday	Closed
Sunday	Closed
Public Holidays	Closed

Reason: To minimise the impact on the amenity of the area.

185. The child care centre must operate in accordance with Plan of Management approved to satisfy conditions elsewhere in this Notice.

Reason: To ensure the safe and orderly operation of the child care centre.

Traffic and transport

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

Reason: To comply with Australian Standards.

187. One year from the issue of the Occupation Certificate, and every year for 2 years thereafter, the applicant shall submit to Council's Group Manager Development and Traffic Services Unit (DTSU) a review of the effectiveness of the Green Travel Plan. The reviews shall include surveys of modal share and vehicle trip generation for the various land uses within the development during peak and off-peak periods. The review shall also include recommendations for improving the effectiveness of the plan. Any recommendations made to improve the effectiveness of the plan shall be incorporated into an updated Green Travel Plan.

Reason: To ensure the effective management of the Green Travel Plan.

Landscaping

188. All landscape works shall be maintained for a minimum period of fifty-two (52) weeks following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

Environmental health – waste

189. 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.

190. 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.

191. 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

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

Reason: To ensure compliance with BCA requirements.

193. A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) 2011 including:

- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
- (b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
- (c) The walls being cement rendered to a smooth, even surface and coved at all intersections;
- (d) Cold water being provided in the room with the outlet located in a position so that it cannot be damaged and a hose fitted with a nozzle being connected to the outlet;
- (e) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia and in accordance with AS1668

Reason: To ensure provision of adequate waste storage arrangements

Environmental health – acoustic

194. The use of the premises not giving rise to:

- (a) transmission of unacceptable vibration to any place of different occupancy,
- (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning and Assessment Act 1979: Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

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

Reason: To reduce noise levels.

196. 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.

197. Air conditioners must not:

- (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - i. before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
 - ii. before 7.00am and after 10.00pm on any other day.
- (b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those as specified in (1), which exceeds the background (LA90, 15 minute) by more than 5dB(A).

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

Reason: To prevent loss of amenity to the area.