

## **DRAFT DEFERRED COMMENCEMENT CONDITIONS**

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

**Development Consent No.: DA/873/2021**

**Property Address: LOTS 2/3 DP 5982, LOT 1 DP 5982**

### **Schedule 1:**

#### **DAA0002 #Interallotment Drainage Easement**

1. Pursuant to the provisions of Section 80(3) of the Environmental Planning and Assessment Act, 1979, the development application be granted a Deferred Commencement Consent subject to the completion of the following:

- Submission to Council of suitable documentary evidence issued by the Land Registry Services of NSW confirming the creation of an easement to drain water 3 metres wide over a downstream property or properties benefiting the subject lot 2 & 3, DP 5982 known as 235 & 237 Marsden Road, Carlingford and burdening the downstream properties until the drainage line meets Council's stormwater infrastructure in Mulyan Avenue has been registered with the Land Registry Services of NSW.
- A Copy of the Registered Dealings from the Land Registry Services of NSW shall be submitted to Council for approval.

The above requirement(s) must be satisfied within 24 months of this determination or the consent will lapse.

**Advisory Note:** Easements through Council properties (or Crown land managed by Council) can take up to 12 months to finalise.

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

### **Schedule 2:**

#### **PART A – GENERAL CONDITIONS**

##### **PA0001 #Approved Plans & Support Doc(DIEP Mandatory Cond)**

2. Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise:

Architectural Drawings prepared by Custance (Project No. 3400)

Drawing/ Plan No.	Issue	Plan Title	Dated
DA0.01	5	Cover Sheet and Project Data	02.09.2021
DA0.02	3	Location and Survey Plan	02.09.2021
DA0.10	3	Site Analysis Plan	02.09.2021
DA0.15	2	Demolition Plan	02.09.2021
DA0.20	8	Site Plan	02.09.2021
DA1.10	11	GA – Lower Ground Floor	02.09.2021
DA1.11	11	GA – Ground Floor	02.09.2021
DA1.12	11	GA – Level 1	02.09.2021
DA1.13	11	GA – Level 2	02.09.2021
DA1.14	9	GA – Roof Level	02.09.2021
DA3.00	6	External Elevations 1	02.09.2021
DA3.01	4	External Elevations 2	02.09.2021
DA3.10	6	Building Sections 1	02.09.2021
DA3.11	6	Building Sections 2	02.09.2021
DA3.50	3	Site Sections - Boundary	02.09.2021
DA3.51	3	Site Sections - Boundary	02.09.2021
DA3.52	3	Site Sections - Boundary	02.09.2021
DA3.53	3	Site Sections - Boundary	02.09.2021
DA3.54	3	Site Sections - Boundary	02.09.2021
DA3.55	2	Site Sections - Boundary	02.09.2021
DA11.00	4	Shadow Diagrams	02.09.2021
DA11.01	1	Solar Diagrams – West Wing	02.09.2021
DA11.02	1	Solar Diagrams – West Wing	02.09.2021
DA11.03	1	Solar Diagrams – West Wing	02.09.2021
DA11.04	1	Solar Diagrams – West Wing	02.09.2021
DA11.05	1	Solar Diagrams – West Wing	02.09.2021
DA11.06	1	Solar Diagrams – West Wing	02.09.2021
DA11.07	1	Solar Diagrams – West Wing	02.09.2021
DA11.08	1	Solar Diagrams – East Wing	02.09.2021
DA12.00	1	Materials and Finishes Schedule	undated
DA12.10	3	Perspective Views 1	02.09.2021
DA12.11	3	Perspective Views 2	02.09.2021
DA15.00	2	GFA Plans	02.09.2021
DA16.00	3	Carpark Plans and Sections	02.09.2021

Landscape Drawings prepared by Taylor Brammer (Project No. 20-0635)

Drawing/ Plan No.	Issue	Plan Title	Dated
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LAN000	A	Cover Page	10.09.2021
LAN001	A	Design Approach	10.09.2021
LAN002	A	Landscape Masterplan	10.09.2021
LAN100	B	Site Plan	08.12.2021
LAN101	A	Rose Garden and Maple Courtyard	10.09.2021
LAN102	A	Camelia and Magnolia Courtyard	10.09.2021
LAN103	A	Gardenia – Level 1	10.09.2021
LAN104	B	Nursery Garden and Lavender Garden	08.12.2021
LAN200	A	Planting Plan 1 of 3	10.09.2021
LAN201	A	Planting Plan 2 of 3	10.09.2021
LAN202	A	Planting Plan 3 of 3	10.09.2021
LAN300	A	Sections	10.09.2021
LAN301	A	Sections	10.09.2021
LAN 400	A	Tree Removal and Retention Plan	10.09.2021
LAN500	A	Details	10.09.2021
LAN601	A	Landscape Diagrams	10.09.2021

Stormwater drawings prepared by Henry and Hymas (Project No. 19F64)

Drawing/ Plan No.	Issue	Plan Title	Dated
19F64_DA_C101	08	General Arrangement Plan	15.06.2022
19F64_DA_C200	04	Stormwater Miscellaneous Details	02.12.2021
19F64_DA_C201	06	OSD Tank Plan, Section and Details	07.04.2022
9F64_DA_SK180	01	General Arrangement Plan Revised Southeast Levels	18.10.2022
19F64_DA_C250	03	Stormwater Catchment Plan	02.12.2021
19F64_SK_C01	-	Stormwater Long Section	October 2022
1964_DA_SE01	01	Sediment and Erosion Control Plan	13.08.2021
1964_DA_SE02	01	Sediment and Erosion Control Details and Sections	13.08.2021
1964_DA_BE01	06	Bulk Earthworks Cut and Fill Plan	05.09.2021
1964_DA_BE02	04	Bulk Earthworks Site Sections Sheet 1 of 2	05.09.2021
1964_DA_BE03	03	Bulk Earthworks Site Sections Sheet 2 of 2	05.09.2021

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Statement of Environmental Effects	WTJ21-118	2	Willowtree Planning Pty Ltd	10.09.2021
Operational Plan of Management	-	-	Opal Healthcare	02.07.2021
Arborist Report	-	-	Earthscape Horticultural Services	September 2021
Accessibility Report	S210611	B	Formiga1	08.09.2021
Design Development Report	S210611	B	Formiga1	08.09.2021
Waste Management Plan	-	4	UFD	08.09.2021
Noise Impact Assessment	20210771.1/0809A/R1/RF	1	Acoustic Logic Ptd Ltd	08.09.2021
Traffic Impact Assessment	21107	C	TTPA	September 2021
Remedial Action Plan	2101107Rpt01 FinalV04_2Dec21	V04	Geo-Logix	02.12.2021
Detailed Site Investigation Report	2101075Rpt02 FinalV03_2Dec21	V03	Geo-Logix	02.12.2021
Geotechnical Report	2101075Rpt01 FinalV03_2Dec21	V03	Geo-Logix	02.12.2021

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of consent, the condition prevails.

**Note:** An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

**Reason:** To ensure all parties are aware of the approved plans and supporting documentation that applies to the development

- The proposed access on Marsden Road should be restricted to left in/left out vehicle movement only. Please refer Attachment B for reference noting the footpath on Marsden Road should not be obstructed.
- The redundant driveways on Marsden Road to be removed and replaced with kerb and gutter to match existing. The design and construction of the proposed access and kerb and gutter crossing on Marsden Road to be in accordance with TfNSW requirements. Details of these

requirements can be requested via email to [developerworks.sydney@transport.nsw.gov.au](mailto:developerworks.sydney@transport.nsw.gov.au). Also, please submit detailed design plans of the proposed access and kerb and gutter crossing to TfNSW for approval via [development.sydney@transport.nsw.gov.au](mailto:development.sydney@transport.nsw.gov.au), prior to the issue of a Construction Certificate and commencement of any road works.

Please note a plan checking fee and lodgement of a performance bond is required prior to release of the approved road design plans by TfNSW.

5. The proposed easement relocation works to be designed to meet TfNSW requirements and drawn by a suitably qualified person and endorsed by a suitably qualified practitioner. The certified copies of the civil design plans including proposed stormwater design and hydraulic calculations to be submitted to TfNSW for consideration and approval via [development.sydney@transport.nsw.gov.au](mailto:development.sydney@transport.nsw.gov.au), prior to the release of a Construction Certificate and commencement of works.

TfNSW fees for administration, plan checking, civil works inspections and project management to be incurred by the developer prior to the commencement of works. Also, please note the developer will be required to enter into a Works Authorisation Deed (WAD) for the proposed works.

A copy of the plans and documentation endorsed by TfNSW is to be submitted to Council.

6. Documentary evidence demonstrating the registration of the easement (to the favour of TfNSW) with Land and Registry Services to be submitted to the satisfaction of TfNSW. The existing easement can only be extinguished after this has been completed, to the satisfaction of TfNSW.
7. All costs associated with the easement relocation be incurred by the developer.
8. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to TfNSW for assessment, in accordance with Technical Direction GTD2012/001. Please submit all documentation via [development.sydney@transport.nsw.gov.au](mailto:development.sydney@transport.nsw.gov.au), at least six (6) weeks prior to commencement of construction and incur the full cost of the assessment.

If excavation below the level of the base footings of the adjoining roadways is required, the person acting on the consent is to ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings and, include complete details of the work.

9. The developer to be responsible for all public utility adjustment/relocation works, necessitated by the above works and as required by the various public utility authorities and/or their agents.
10. Please note the developer is to contact Greater Sydney Roads asset team via [greatersydneyroads@transport.nsw.gov.au](mailto:greatersydneyroads@transport.nsw.gov.au), relevant to the relocation works.
11. A Construction Traffic Management Plan (CTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to Council for approval, prior to the issue of a Construction Certificate.
12. A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre (TMC) via <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>, for any works that may impact on Marsden Road traffic flows during construction activities.
13. All demolition and construction vehicles are to be fully contained within the site and vehicles must enter the site before stopping noting, a construction zone will not be permitted on Marsden Road.
14. All vehicles are to enter and exit the site in a forward direction. Provision for vehicles to turn around must be provided within the property boundary.
15. Any proposed fencing should be installed fully within the site, and all construction and maintenance activity at no cost to TfNSW.
16. Any proposed gate at the access, should remain open during business hours. Vehicles should not be obstructed when entering the site, in turn causing queuing onto Marsden Road.
17. The layout of the proposed car parking areas associated with the proposal (including, driveways, grades, turn paths, sight distance requirements, aisle widths and lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004 and AS 2890.2-2002 for heavy vehicle usage.
18. The swept path of the longest vehicle entering and exiting the subject site, in addition to manoeuvrability through the site, to be in accordance with AUSTROADS – a plan indicating such to be submitted to Council for approval.
19. No structures from the development are permitted along the new easement.

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

**ECA0006     Require to notify about new contamination evidence**

20. Any new information which comes to light during remediation, demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority within 5 days of encountering it.

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

**ECA0009     Contaminated waste to licensed EPA landfill**

21. 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.

**ECA0010     Remediation**

22. All remediation works shall be carried out in accordance with clauses 4.15 and 4.16 of State Environmental Planning Policy (Resilience and Hazards) 2021.

**Reason:** To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021.

**ECA0015     #Remediation Action (RAP)**

23. Remediation works shall be carried out in accordance with the Remediation Action Plan numbered *2101107Rpt01FinalV04\_2Dec21* prepared by *Geo-Logix Pty Ltd* received by Council on *2 December 2021*. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works.

**Reason:** To comply with the statutory requirements of State Environmental Planning Policy (Resilience and Hazards) 2021.

**EFA0001     Requirement for Trade Waste Agreement**

24. A trade waste agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'. Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund.

**Reason:** To ensure proper disposal of waste water.

**LA0002     #Demolition & tree removal (Delete N/A Councils)**

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

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

**OA0001     Public Reserve Protection (Stockpiling)**

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

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

**OA0005 No trees are to be removed on public property**

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

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

**OA0006 Public Reserve Gates**

28. No gates or the like are permitted to provide access between the property and the Council reserve.

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

**OA0008 Public Reserve Access & Works**

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

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

**PA0003 Construction Certificate**

30. 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.

**Note:** All references to a 'Construction Certificate' within this consent includes any 'relevant construction certificate' and it is acknowledged that the person having the benefit of the development consent may obtain multiple construction certificates.

**Reason:** To ensure compliance with legislative requirements.

**PA0004 No encroachment on Council and/or Adjoining proper**

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

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

**PA0011 #Demolition of Buildings**

32. Approval is granted for the demolition of all buildings and outbuildings currently on the property, subject to compliance with the following: -

- (a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.

**Note:** Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.



- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Prior to the commencement of any demolition works, and where the site ceases to be occupied during works, the property owner must notify Council to discontinue the domestic waste service and to collect any garbage and recycling bins from any dwelling/ building that is to be demolished. Waste service charges will continue to be charged where this is not done. Construction and/ or demolition workers are not permitted to use Council's domestic waste service for the disposal of any waste.

- (i) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (j) Demolition is to be completed within 60 days of commencement.
- (k) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (l) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (m) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
  - (i) Proposed ingress and egress of vehicles to and from the construction site;
  - (ii) Proposed protection of pedestrians adjacent to the site;
  - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
- (n) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environment Protection Authority (EPA).
- (o) Before demolition works begin, adequate toilet facilities are to be provided.
- (p) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (q) Within 14 days of completion of demolition, the applicant must submit to Council:
  - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
  - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
  - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

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

**PA0013 #LSL Payment Const> \$25,000 (DIEP Mandatory Cond)**

33. Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

**Note:** The Long Service Levy is to be paid directly to the **Long Service Corporation** at [www.longservice.nsw.gov.au](http://www.longservice.nsw.gov.au). For

more information, please contact the Levy support team on 13 14 41.

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

**EFA0002 Provide waste storage room on premises**

34. 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.

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

**PA0014 #Payment of Security deposits(DIEP Mandatory Cond)**

35. Before the commencement of any works on the site or the issue of a construction certificate, the applicant must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Bond Type	Amount
<b>Nature Strip and Roadway:</b> <i>Applies to all developments with a cost greater than 25K and swimming pools regardless of cost (fee is per street frontage). See current Schedule of Fees and Charges.</i>	\$25,750.00

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

**Note:** The inspection fee includes Council's fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with council's fees and charges at the payment date.

**Reason:** To ensure any damage to public infrastructure is rectified and public works can be completed.

**Note:** 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/873/2021;
- (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.

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

## **PART B – BEFORE THE ISSUE OF THE RELEVANT CONSTRUCTION CERTIFICATE**

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

### **LB0001A Planting upon Structure**

36. 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. All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.
- (b) Soil volume, soil depth and soil area must be consistent with the approved landscape plans per Condition 1). 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 plans and certified by a suitably qualified Landscape Architect/Designer.

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

**LB0004 #Landscaping Plan**

37. The final Landscape Plan must be consistent with plan numbered Revision B, dated 8 December 2021, prepared by Taylor Brammer together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:

- (a) Retention of trees numbered.
- (b) Screening between properties and along rear boundaries to provide privacy and amenity is required to be provided in a minimum 200mm containers. Tree replenishment to both front and rear landscape areas is required. Trees are to be provided in a minimum 45 litre container, must be able to reach a minimum mature height of five (5) metres, and planted with a minimum setback of 3.5m to the outside enclosing wall or edge of a legally constructed building, structure or the proposed development. It is recommended that the location of proposed canopy trees also takes into consideration appropriate distances from boundaries and proposed stormwater infrastructure.
- (c) A proposed plant schedule indicating planting locations, species type (botanic/ common name) mature dimensions, plant numbers and the size of the containers at planting.
- (d) The location of all proposed and existing overhead and underground service lines. The location of such service lines shall be clear of the dripline of existing and proposed trees.
- (e) Permeable paving and or structures under existing trees are to be coordinated with the project arborist to ensure retention and longevity of existing trees onsite.
- (f) All landscape plans are to be prepared by a professionally qualified Landscape Architect or Landscape Designer.

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

**LB0007 Species replacement**

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

- (a) The replacement of 279 x *Murraya paniculata* with a variety of native or indigenous species such as *Callistemon viminalis* 'Slim' (Bottlebrush)

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

**PB0008 No external service ducts for multi-unit develop**

**PB0012 Single master TV antenna**

39. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed on each building to service the development. A connection is to be provided internally to each dwelling/unit within the development.

Details of these connections are to be annotated on the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

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

**PB0020 #Parra Develop Contrib. Plan – Outside City Centre**

40. A monetary contribution comprising **\$452,432.19** is payable to City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the *Parramatta Section 94A Development Contributions Plan (Amendment No. 5)*. Payment must be by EFTPOS, bank cheque or credit card only.

The contribution is to be paid to Council prior to the issue of a construction certificate.

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

*Parramatta Section 94A Development Contributions Plan (Amendment No. 5)* can be viewed on Council's website at: <https://www.cityofparramatta.nsw.gov.au/business-development/planning/development-contributions>

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

**PB0030 Infrastructure & Restoration Adm. fee for all DAs**

41. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a 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.

**PB0032 Constr. Noise Managt. Plan for townhouses & above**

42. 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.

#### **PB0033      Energy Provider requirements for Substations**

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

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

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

#### **TB0001      #Car Parking Condition**

44. The PCA shall ascertain that any new element in the 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, AS 2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application.

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

#### **TB0003      #Parking Provision**

45. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS 2890.2 and AS 2890.6. A total of 45 parking spaces is to be provided and be allocated as follows:

- a) 46 parking spaces for the staff and visitors of the residential care facility including two (2) spaces as accessible parking;
- b) One (1) loading bay;
- c) One (1) ambulance bay.

**Note that parallel parking spaces are to be provided in accordance with the requirements of Figure 2.5 of the AS 2890.1.** Details are to be illustrated on plans submitted with the construction certificate application.

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

#### **TB0004      Pedestrian Safety**

46. A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site. This shall be illustrated on

plans submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials.

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

**TB0006 #Motorcycle Parking Condition**

47. One (1) motorcycle spaces are to be provided on-site and used accordingly. The dimensions of the motorcycle spaces are to comply with Clause 2.4.7 and Figure 2.7 of AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.

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

**TB0019 #Restrict Access to Left in - Left out**

48. Access to the site from Marsden Road is to be restricted to Left in – Left out arrangement only. A splitter island is to be installed at the driveway, as explained in the email from TfNSW dated 7 September 2021, to separate incoming and outgoing vehicles to the site. Detailed engineering design plans of the splitter island is to be submitted to TfNSW for consideration and approval. The construction of the approved splitter island is to be carried out by the applicant and all costs associated with the supply and construction of the splitter island and appropriate signage are to be paid for by the applicant at no cost to Council and TfNSW.

**Reason:** To ensure maintenance of traffic flow and safety on the surrounding road network.

**PB0015 Energy Provider requirements for dual occ. & above**

49. Documentary evidence to the satisfaction of the Certifying Authority must be provided with the application for a Construction Certificate confirming satisfactory arrangements have been made with an energy provider for the provision of electricity supply to the development.

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

**PBNSC Non-standard - Prior to the issue of a CC**

50. Prior to the issue of a Construction Certificate, public domain drawings and public domain alignment drawings are to be submitted to the satisfaction of Manager Development and Traffic Services with the following details:

- a) New and replacement kerb and gutter to Councils standard detail DS1.
- b) New concrete footpath and verge to Councils standard detail DS3.
- c) New vehicle crossing to the site to Council's standard detail DS9 and DS10
- d) The public domain drawing package for DA approval be consistent with the requirements in Chapter 2 of the Public Domain Guidelines:
  - i. Public domain drawings showing preliminary layout of all required public domain elements in the footway, and



- ii. Public domain alignment drawings showing engineering cross sections and long section of all civil works as described by Supervisor Civil Assets.

**Reason:** To comply with Council's Public Domain requirements.

#### **EAB0005 Noise Management Plan -Demo. Excav. & Construction**

51. 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) Confirmation of the level of community engagement that has, is and will be undertaken with the Building Managers/occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases;
- b) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties during the main stages of work;
- c) The course of action that will be taken following receipt of a complaint concerning site noise, dust and vibration;
- d) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring properties to a minimum; and
- e) What plant and equipment is to be used on the site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring properties and other less intrusive technologies available.

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

#### **DB0001 Stormwater Disposal**

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

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

#### **DB0002 Retaining walls**

53. 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 a Construction Certificate for assessment and approval by the certifying authority.

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

#### **DB0003 Sydney Water Quick check**

54. 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.

#### **DB0004 Dial Before you Dig Service**

55. 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.

#### **DB0008 Certification of existing drainage system**

56. A registered plumber is to certify the condition and functionality of the existing stormwater system of the pit and pipe system in the downstream easement and that it is capable of carrying the additional stormwater from the proposed development as outlined in AS 3500.3 – Stormwater Drainage - 2003.

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

#### **DB0012 #On Site Detention**

57. Full engineering construction details of the stormwater system, including OSD structures, pipe networks and calculations as per following points, shall be submitted for the approval of the PCA prior to release of the Construction Certificate for any work on the site.

- (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the following Stormwater Plans approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code.

(i) **Stormwater Plans prepared by Henry & Hymas:**

(ii)

Drawing/ Plan No.	Issue	Plan Title	Dated
19F64_DA_C101	08	General Arrangement Plan	15.06.2022
19F64_DA_C200	04	Stormwater Miscellaneous Details	02.12.2021
19F64_DA_C201	06	OSD Tank Plan, Section and Details	07.04.2022
9F64_DA_SK180	01	General Arrangement Plan Revised Southeast Levels	18.10.2022
19F64_DA_C250	03	Stormwater Catchment Plan	02.12.2021
19F64_SK_C01	-	Stormwater Long Section	October 2022

- (b) A Site Storage Requirement of 250 m<sup>3</sup>/ha and a Permissible Site Discharge of 210 L/s/ha (when using 3rd edition of UPRCT's handbook)
- (c) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.
- (d) The orifice shall be centred over the centre of the outlet pipe.
- (e) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

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

**DB0013 #Water treatment for stormwater**

58.690PSORB Stormfilters & 13 OceanGuard water quality treatment devices must be installed to manage surface runoff water to Mulyan Avenue to satisfy section 3.3.6.1 of Parramatta City Council Development Control Plan 2011. Details of the proposed devices and their location must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

**DB0014      Underground electricity supply for townhouses & above**

59. Electricity provision within the site is to be designed so that in the future the electrical connection from this site can be made to an underground connection within the street. Certification from an energy provider addressing their requirements for this provision is to be forwarded to the Certifying Authority with the application for a Construction Certificate.

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

**DB0015      Shoring for adjoining Council property**

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

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

**DB0017A      Construction of a heavy duty vehicular crossing**

61. 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.

**DB0019      #Disabled parking**

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

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

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

**DB0020 Security roller shutters for basement car parking**

63. Where a security roller shutter or boom gate prevents access to visitor carparking, an intercom system is required to be installed to enable visitor access to the car parking area. Details of the system and where it is to be located is to accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

**Reason:** To ensure visitor carparking is accessible.

**DB0021 Impact on Existing Utility Installations**

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

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

**DB0022 Support for Council Rds, footpath, drainage reserv.**

65. 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 the relevant 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.

**DB0023 Construction adjacent to a drainage easement**

66. Foundations adjacent to a drainage easement are to be constructed in accordance with Council's Code "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements – Parramatta City Council Code E-3". The engineering details are to form part of the Construction Certificate documentation.

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

**DB0026 Driveway Grades**

67. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 to prevent the underside of the vehicles scraping. Where the geometric change in grade exceeds 18%, the gradients of the driveway and ramps shall be checked using the method at Appendix C in AS2890.1:2004 and adjustments will be made to

accommodate suitable transition lengths. Details are to be provided with the application for a Construction Certificate.

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

68. Prior to the issue of a Construction Certificate the Certifying Authority shall ensure all plans have been revised to accommodate the proposed swale in the sketch provided by henry&hymas, drawing number 19F64\_DA\_SK180, issue 01, dated 18/10/2022.

**Reason:** To ensure compliance with approved plans.

#### **DBNSC      Non-standard - Prior to the issue of a CC**

Prior to the issue of a Construction Certificate the Certifying Authority shall ensure:

- Carpark has minimum 1% grade towards the OSD system to allow emergency overflows to drain to the legal discharge point.
- Rainwater tanks must not collect water from a source other than roofs on a building or a water supply service pipe and must comply with Council's Development Engineering Guidelines and BASIX requirements.
- OSD storage configuration has been revised so that:
  - The High Early Discharge (HED) chamber is to be located downstream of the Stormwater Filter (SF) weir.
  - Overflow from the SF chamber is discharged to the HED chamber where the HED orifice is located.
  - The outflow (bottom outlet) from the SF chamber shall be directed into the overflow pit past the OSD system.
  - An equivalent flow to the (Stormwater Filter) SF chamber outflow shall be reduced from the Permissible Site Discharge (PSD) in the OSD calculations and the orifice size shall be adjusted to account for the flow through the SF chamber.

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

### **PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK**

#### **BC0001      Toilet facilities on site**

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

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

#### **LC0002      #Tree protection as per arborist report**

70. All trees required to be retained and protected shall be done so prior to and during the demolition/construction process in accordance with the Arboricultural Impact Assessment and Tree Protection Plan prepared by Earthscape Horticultural Services dated September 2021 and the conditions of consent.

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

### **LC0007      Tree Protection During Construction**

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

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

### **PC0001      #Appointment of PCA**

72. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:

- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
- (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

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

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

### **PC0002      Enclosure of the site**

73. 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.

### **PC0003      Site Sign**

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

- (a) Unauthorised entry of the work site is prohibited;
- (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- (c) The name, address and telephone number of the Principal Certifying Authority;
- (d) The development consent approved construction hours;
- (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
- (f) This condition does not apply where works are being carried out inside an existing building.

**Reason:** Statutory requirement.

### **PC0005      Public liability insurance**

75. 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.

#### **PC0007 Footings and walls near boundaries**

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

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

#### **TC0001 #Construction and Pedestrian Traffic Manage. Plan**

77. Prior to the commencement of any works on site, the applicant shall 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, tradeperson 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.

Where applicable, the plan must address the following:

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

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

**Reason:** To ensure 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.

**DC0002 Road Opening Permits - DA's involving drainage wrk**

78. 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.

**DC0003 Dilapidation survey & report for private properties**

79. 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](mailto: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.

#### **DC0004 Geotechnical report**

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

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

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

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

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

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

- (i) No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- (ii) No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (iii) No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (iv) Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
- (v) Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.

- (vi) An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table CI of AS 2870 - 1996.

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

**DC0005      #Reinforced concrete pipe work**

81. Details of the proposed 375mm -525mm diameter reinforced concrete pipe-work within the proposed easement shall be submitted for Council's City Works Unit approval prior to commencement of any work.

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

**DC0006      Erosion and Sediment Control measures**

82. 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.

**DC0007      Site Maintenance**

83. 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.

**DC0008      Shoring and adequacy of adjoining property**

84. 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.

**DC0009      Special Permits**

85. 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.

#### **DC0010 Driveway Crossing Application**

86. 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.

## **PART D – WHILE BUILDING WORK IS BEING CARRIED OUT**

### **LD0009 Planting Requirements**

87. All trees planted as required by the approved landscape plan are to be a minimum 45 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.

### **LD0011 Tree Removal**

88. Trees to be removed are:

<b>Tree No.</b>	<b>Species</b>	<b>Common Name</b>	<b>Location</b>
5	<i>Casuarina glauca</i>	Swamp Oak	Refer to arborist report
6	<i>Casuarina glauca</i>	Swamp Oak	Refer to arborist report
7	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Refer to arborist report
8-10	<i>Syagrus romanzoffianum</i>	Cocos Palm	Refer to arborist report
12	<i>Cupressus glabra</i>	Arizona Cypress	Refer to arborist report
13	<i>Cupressus glabra</i>	Arizona Cypress	Refer to arborist report
14	<i>Cupressus glabra</i>	Arizona Cypress	Refer to arborist report
15	<i>Casuarina glauca</i>	Swamp Oak	Refer to arborist report
16	<i>Casuarina glauca</i>	Swamp Oak	Refer to arborist report
17	<i>Jacaranda mimosifolia</i>	Jacaranda	Refer to arborist report
18	<i>Podocarpus elatus</i>	Plum Pine	Refer to arborist report
19	<i>Eucalyptus globulus</i>	Tasmanian Blue Gum	Refer to arborist report

20	<i>Juniperus x media</i> 'Pfitzeriana'	Pfitzer Juniper	Refer to arborist report
21	<i>Schinus areira</i>	Peppercorn Tree	Refer to arborist report
22	<i>Fraxinus</i> 'Raywood'	Claret Ash	Refer to arborist report
23	<i>Fraxinus</i> 'Raywood'	Claret Ash	Refer to arborist report
24	<i>Pittosporum undulatum</i>	Sweet Pittosporum	Refer to arborist report
25	<i>Fraxinus</i> 'Raywood'	Claret Ash	Refer to arborist report
26	<i>Elaeocarpus reticulatus</i>	Blueberry Ash	Refer to arborist report
27	<i>Fraxinus</i> 'Raywood'	Claret Ash	Refer to arborist report
39	<i>Cupressus macrocarpa</i> 'Aurea Saligna'	Golden Weeping Monterey Cypress	Refer to arborist report
40	<i>Gleditsia triacanthos</i>	Honey Locust	Refer to arborist report
41	<i>Ulmus procera</i>	English Elm	Refer to arborist report
42	<i>Juniperus x media</i> 'Pfitzeriana'	Pfitzer Juniper	Refer to arborist report
43	<i>Thuja occidentalis</i>	Tree of Life	Refer to arborist report
44	<i>Cupressus glabra</i>	Arizona Cypress	Refer to arborist report
45	<i>Ligustrum sinense</i>	Small-leaf privet	Refer to arborist report
46	<i>Cupressus glabra</i>	Arizona Cypress	Refer to arborist report
47	<i>Podocarpus sp</i>	Podocarpus	Refer to arborist report
48	<i>Cupressus sempervirens</i>	Italian Cypress	Refer to arborist report
49	<i>Cupressus sempervirens</i> 'Swane's Golden)	Italian Cypress	Refer to arborist report
50	<i>Cordyline australis</i>	Cordyline	Refer to arborist report
51	<i>Cupressus macrocarpa</i> 'Aurea'	Golden Monterey Cypress	Refer to arborist report
52	<i>Thuja occidentalis</i>	Tree of Life	Refer to arborist report
53	<i>Cryptomeria japonica</i> 'Elegans'	Japanese Cedar	Refer to arborist report



54	<i>Cupressus sempervirens</i> 'Swane's Golden'	Swane's Golden Pencil Pine	Refer to arborist report
55	<i>Cryptomeria japonica</i> 'Globosa Nana'	Dwarf Japanese Cedar	Refer to arborist report
71	<i>Taxodium distichum</i>	Swamp Cypress	Refer to arborist report
80	<i>Salix matsudana</i> 'Tortuosa'	Tortured Willow	Refer to arborist report
81	<i>Cinnamomum camphora</i>	Camphor Laurel	Refer to arborist report
83	<i>Cinnamomum camphora</i>	Camphor laurel	Refer to arborist report
84	<i>Cinnamomum camphora</i>	Camphor laurel	Refer to arborist report
85	<i>Schinus areira</i>	Peppercorn tree	Refer to arborist report
86	<i>Erythrina indica</i>	Indian Coral Tree	Refer to arborist report
87	<i>Erythrina indica</i>	Indian Coral Tree	Refer to arborist report
88	<i>Erythrina indica</i>	Indian Coral Tree	Refer to arborist report
89	<i>Photinia x fraseri</i>	Photinia	Refer to arborist report
90	<i>Casuarina glauca</i>	Swamp Oak	Refer to arborist report
92	<i>Schinus areira</i>	Peppercorn tree	Refer to arborist report
98	<i>Liquidambar styraciflua</i>	Liquidambar	Refer to arborist report
99	<i>Ligustrum lucidum</i>	Large-leaf Privet	Refer to arborist report
100	<i>Lophostemon confertus</i>	Brushbox	Refer to arborist report
101	<i>Lophostemon confertus</i>	Brushbox	Refer to arborist report
102	<i>Liquidambar styraciflua</i>	Liquidambar	Refer to arborist report
103	<i>Ligustrum lucidum</i>	Large-leaf Privet	Refer to arborist report
104	<i>Cupressus glabra</i> 'Aurea'	Golden Arizona Cypress	Refer to arborist report
105	<i>Cinnamomum camphora</i>	Camphor laurel	Refer to arborist report
106	<i>Cinnamomum camphora</i>	Camphor laurel	Refer to arborist report
107	<i>Cinnamomum camphora</i>	Camphor laurel	Refer to arborist report

108	<i>Cinnamomum camphora</i>	Camphor laurel	Refer to arborist report
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**Reason:** To facilitate development.

#### **LD0012 Trees with adequate root volume**

89. 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 unless in a wind-prone area. 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.

#### **LD0013 Removal of trees by an arborist**

90. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist and undertaken in accordance with the Code of Practice for Amenity Tree Industry 1998.

**Reason:** To ensure tree works are carried out safely.

#### **PD0006 Hours of work and noise (DPIE Mandatory Condition)**

91. The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- **7am to 5pm on Monday to Friday**
- **8am to 5pm on Saturday**

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

**Note:** Any variation to the hours of work requires Council's approval.

Council may permit an extension to the approved hours of work in extenuating or unforeseen circumstances subject to an application and approval by City of Parramatta Council (CoPC) in accordance with the 'After Hours Works for Approved Development Applications Policy' (Policy).

A copy of this Policy and associated application form is available on the CoPC website. A fee will apply to any application made in accordance with this Policy.

The matters of consideration of any extension sought would include, but not be limited to the following aspects and should be detailed in any application made:

- Nature of work to be conducted;
- Reason for after-hours completion;
- Residual effect of work (noise, traffic, parking);

- Demographic of area (residential, industrial);
- Compliance history of subject premises;
- Current hours of operation;
- Mitigating or extenuating circumstance; and
- Impact of works not being completed.

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

#### **TD0001 Road Occupancy Permit**

92. 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.

#### **TD0002 Oversize vehicles using local roads**

93. Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal ([www.nhvr.gov.au/about-us/nhvr-portal](http://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.

#### **DD0001 Drainage to existing system**

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

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

#### **DD0005 Erosion & sediment control measures**

95. 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.

#### **DD0006 Damage to public infrastructure**

96. 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.

#### **DD0009 Car parking & driveways**

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

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

**DD0010 Vehicle egress signs**

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

**Reason:** To ensure pedestrian safety.

**PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE**

**BE0001 Record of inspections carried out**

99. 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.

**EFE0002 Notification of food business – Council**

100. Prior to an Occupation Certificate being issued, Council must be notified that the premises is to be used for the preparation of food for sale so that the premises can be registered on Council's food premises licensing database.

**Reason:** Compliance with the requirements of the Food Act.

**EFE0003 Certify mechanical ventilation installation**

101. Adequate ventilation to work areas and other occupied enclosures shall be provided in accordance with the requirements of the Building Code of Australia. Where any system of mechanical ventilation is installed, certification that the system functions in accordance with Australian Standard AS/NZS 1668.2.2012 is to be provided to the certifying authority prior to occupation of the premises.

**Reason:** To comply with the Building Code of Australia and the relevant Australian Standard.

**LE0002 Cert.Auth.Arrange Qualified LandscapeArch.(multi)**

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

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

**PE0001 Occupation Certificate**

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

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

**PE0006 Street Number when site readily visible location**

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

**Reason:** To ensure a visible house number is provided.

**PE0027 Post Constr. Private Property Dilapidation Report**

105. Before the issue of an occupation certificate, a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the principal certifier, detailing whether:

- (a) after comparing the pre-construction dilapidation report to the postconstruction dilapidation report required under this condition, there has been any structural damage to any adjoining buildings; and
- (b) where there has been structural damage to any adjoining buildings, that it is a result of the building work approved under this development consent.

Before the issue of an occupation certificate, the principal certifier is to provide a copy of the post-construction dilapidation report to Council (where Council is not the principal certifier) and to the relevant adjoining property owner(s).

**Reason:** To identify damage to adjoining properties resulting from building work on the development site

106. Prior to the issue of an Occupation Certificate, an Emergency Evacuation Plan is to be submitted to the satisfaction of the Principal Certifying Authority which details evacuation routes and procedures for the residents of the facility.

**Reason:** To ensure that appropriate evacuation measures are in place for the facility.

**EFE0004 Certify fitout complies with food safety standards**

107. Certification to be provided to the principal certifying authority (PCA), prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety

standards prescribed under the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004.

It is incumbent on the PCA to determine the competency of the person providing this certification, based on that person's qualifications, experience and currency of practice.

**Reason:** To ensure construction and fit-out of the premises meets relevant public health standards.

**EAE0001 #All works/methods/procedures/control measures**

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

- a) Acoustic Report No. 20210771.1/0809A/R1/RF, dated 8 September 2021, prepared by Acoustic Logic Pty Ltd.

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

**DE0003 Work-as-Executed Plan (DPIE Condition)**

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

- (a) A WAE survey shall be conducted and plans prepared showing the 'as built' of the complete on-site detention system including (but not limited to) discharge point into Council system, storage tank (including all critical elements), all pipes and pits connected to the OSD system, overland flow swale and surface levels that control surface flows to the OSD system and by design bypassing the OSD system.
- (b) 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.
- (c) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- (d) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table
- (e) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- (f) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The certificate must only be provided after conducting a satisfactory final inspection. The final inspection shall include the application of all the ancillary components of the system including but not limited to: step-irons,

orifice plate, trash screen with appropriate wall attachment, hinged lockable grates, confined space sign, functioning return lap valve and relief drains within DCP sump etc.

- (g) Certificate of Structural compliance of the OSD tank shall reference the structural elements including floor slab/foundations, 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.

**DE0005      #OSD Positive Covenant/Restriction**

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

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

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through via an application to the NSW Land Registry Services 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.

Electronic colour photographs in jpg format of the on-site detention facility shall accompany the application for the Positive Covenant and the Restriction on the Use of the Land. These photos shall include such elements as the orifice plate, trash screen, step irons, weir, sump and bench on the floor of the DCP, return pipe and flap valve, wide angle view of the storage area or multiple photos, grates closed from above, grates open showing the edges to the opening and under frame packing with mortar or concrete, all pipe entries to the DCP and confined space warning signs at each entry point. The photos must be well labelled and must differentiate between multiple tanks. Additional photos may be requested if required.

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

**DE0006      Section 73 Certificate**

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

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

**DE0007      Street Numbering**

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

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

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

**DE0014      Lot consolidation**

113. All individual parcels of land holding a separate title within the development site must be consolidated into one lot. A plan of consolidation must be registered with the Land and Property Information Division of the NSW Land Registry Services, prior to an Occupation Certificate being issued.

**Reason:** To comply with the Conveyancing Act 1919.

**DE0015      Driveway Crossover**

114. 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.

**DE0018 Reinstatement of laybacks etc**

115. 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 an Occupation Certificate. All costs must be borne by the applicant.

**Reason:** To provide satisfactory drainage.

**DENSC Non-standard - Prior to issue of Occ/Sub Cert.**

116. Non-standard conditions – Prior to OccupCert/SubCert/Use Com. Prior to the issue of an Occupation Certificate, the Certifying Authority shall ensure that the earthworks have been carried out in accordance with AS 3798 Guidelines on earthworks for commercial and residential developments, Level 1 Supervision.

**Reason:** To ensure appropriate compaction levels

**DENSC Non-standard - Prior to issue of Occ/Sub Cert.**

117. Non-standard conditions – Prior to OccupCert/SubCert/Use Com. Prior to the issue of an Occupation Certificate, the Certifying Authority shall ensure that the pavement works have been carried out in accordance with AS 3798 Guidelines on earthworks for commercial and residential developments, Level 2 sampling and testing.

**Reason:** To ensure satisfactory pavements.

118. Prior to the issue of an Occupation Certificate, the Certifying Authority shall ensure that the pipe within the easement has been repaired of defects and clear of debris including ingress of roots, spalling, exposed reinforcement & structural cracking. CCTV and certification of the repairs shall be issued to the Certifying Authority for approval.

**Reason:** To ensure the site, has a drainage system with inbuilt longevity, can drain to a legal discharge point.

## **PART F – OCCUPATION AND ONGOING USE**

119. A shuttle bus service is to be provided for the use of residents of the facility to access nearby shops and services. The shuttle bus service is to be provided on an on-demand basis and at no cost to residents.

**Reason:** To ensure that adequate access is provided for residents to necessary services.

**PF0004 External Plant/Air-conditioning noise levels**

120. Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.

**Reason:** To minimise noise impact of mechanical equipment.

**PF0049 Graffiti Management**

121. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

**Reason:** To ensure the removal of graffiti.

**PANSC Non-standard - General Matters**

122. The development is to comply with the relevant standards pursuant to the Commonwealth Aged Care Accreditation Standards.

**Reason:** To ensure compliance with legislative requirements.

**EFF0001 Food premises**

123. The operation of the premises is to comply with the relevant provisions of the Food Act 2003, Food Regulation 2015 and the Australia New Zealand Food Authority Food Standards Code.

**Reason:** To ensure operation of the premises complies with the relevant legislation and standards.

**EFF0003 Remove putrescible waste at sufficient frequency**

124. 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.

**EFF0004 Use is not to cause air impurities**

125. The operation of the premises is not to give rise to emissions of air impurities in contravention of the Protection of the Environment Operations Act 1997. Air emissions from the premises must not cause a nuisance from odours, nor be hazardous to human health or the environment.

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

**EFF0005 Use is not to cause offensive noise or vibration**

126. 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 & Assessment Act 1979: Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.

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

**EFF0006 Noise from mechanical equipment**

127. 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.

**EFF0007 Use of Premises**

128. 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 at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

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

**EFF0008 Holding facilities for oils and liquids**

129. Adequate holding facilities shall be constructed for the storage of new and waste oils and other bulk liquids in accordance with AS 1940–2017 'The storage and handling of flammable and combustible liquids' before commencement of use.

**Reason:** To ensure that waste liquids are correctly contained.

**EAF0004 No 'offensive noise'**

130. 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.

**EAF0010 Air Conditioners in Residential Buildings**

131. The air conditioner/s must not:

- a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
  - 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.

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**Date:** 10 November 2022

**Responsible Officer:** Sohini Sen