

DRAFT CONDITIONS OF CONSENT

Development Consent No.: DA/883/2021

Property Address: Lot 2 DP 128524, Lot 10 DP 128882, Lot 13
DP 1077402, Lot 14 DP 1077402

PART A – GENERAL CONDITIONS

Approved Plans & Support Documentation

1. 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 (Project No. AH31)

Drawing/Plan No.	Issue	Plan Title	Dated
DA-001	G	Cover Page	09/05/2022
DA-002	E	Site Plan	29/04/2022
DA-099	E	Basement 6	22/07/2022
DA-100-A	G	Basement 5	22/07/2022
DA-100	G	Basement 4	22/07/2022
DA-101	G	Basement 3	22/07/2022
DA-102	F	Basement 2	09/05/2022
DA-103	F	Basement 1	09/05/2022
DA-104	G	Ground Floor	26/07/2022
DA-105	G	Level 1	22/05/2022
DA-106	G	Level 2	21/07/2022
DA-107	G	Level 3	22/07/2022
DA-108	G	Level 4	28/07/2022
DA-109	G	Level 5-38	27/07/2022
DA-109-A	E	Level 39	21/07/2022
DA-110	G	Level 40 – Commercial	21/07/2022
DA-111	G	Level 41 – Commercial	21/07/2022
DA-112	G	Level 42-45 – Commercial	21/07/2022
DA-113	F	Roof Plan	09/05/2022
DA-114	F	Rooftop Plan	09/05/2022
DA-200	G	Section A-B	28/03/2022

Drawing/Plan No.	Issue	Plan Title	Dated
DA-201	I	Elevations East/South	21/07/2022
DA-202	I	Elevations West/North	27/07/2022
DA-203	D	Façade Details	20/12/2021
DA-203-A	D	Façade Details	09/05/2022
DA-204	E	Adaptable Units	20/12/2021
DA-205	A	Liveable Units	25/08/2021

Civil Drawings/Stormwater

Drawing/Plan No.	Issue	Plan Title	Dated
SW201	B	Stormwater Concept Design – Basement 6 Plan – Sheet 1 of 2	01/09/2021
SW202	B	Stormwater Concept Design – Basement 6 Plan – Sheet 2 of 2	01/09/2021
SW203	B	Stormwater Concept Design – GF Plan – Sheet 1 of 2	01/09/2021
SW204	B	Stormwater Concept Design – GF Plan – Sheet 2 of 2	01/09/2021
SW205	B	Stormwater Concept Design – Roof	01/09/2021
SW301	B	Stormwater Concept Design – Details – Sheet 1 of 2	01/09/2021
SW302	B	Stormwater Concept Design – Details – Sheet 2 of 2	01/09/2021
SW401	B	Erosion and Sediment Control Plan and Details	01/09/2021
SW501	B	Stormwater Concept Design Music Catchment Plan	01/09/2021

Landscape Drawings

Drawing/Plan No.	Issue	Plan Title	Dated
DA-2134-01	E	Site Plan	10/06/2022
DA-2134-02	F	Ground Floor	05/10/2022
DA-2134-03	F	Ground Level – Wigram Walkway	05/10/2022
DA-2134-04	E	Ground Level – Parkes St Entry	10/06/2022
DA-2134-05	E	Ground Level – Streetscape	10/06/2022
DA-2134-06	E	Ground floor indicative planting palette and precedent images	10/06/2022

DA-2134-07	E	Level 4	10/06/2022
DA-2134-08	E	Level 4 – Private Open Space	10/06/2022
DA-2134-09	E	Level 4 – Communal Open Space	10/06/2022
DA-2134-10	E	Level 4 indicative planting palette and precedent images	10/06/2022
DA-2134-08	A	Level 40	25/08/2021
DA-2134-09	A	Level 40 – Communal Open Space	25/08/2021
DA-2134-11	A	Master Tree Palette	25/08/2021

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Statement of Environmental Effects	-	1	Pacific Planning	Sept 2021
Access and Adaptability Report	183/AMS01/01GS	G	Access Mobility Solutions	28/07/2022
Geotechnical Desktop Study Report	E24140.G013	3	EI Australia	15/02/2022
BASIX Certificate	1225171M-02	-	BASIX	31/05/2022
NATHERS Certificate	7146680	-	Taylor Smith Consulting	31/05/2022
Construction Waste Management Plan	SO503	D	Elephants Foot	12/11/2021
Traffic Analysis for Commercial Lifts	-	-	KONE	09/12/2021
Traffic Analysis for Residential Lifts	-	-	KONE	09/12/2021
Heritage Impact Report	-	-	Cracknell and Lonergan	02/09/2021
Operational Waste Management	SO100098	J	Elephants Foot	02/09/2021
Structural Design Report	-	-	Xavier Knight	06/09/2021
Traffic Management Report	18NL349-T18	-	Loka Consulting Engineers	02/09/2021
CPTED Report	-	-	ALAND	July 2021
Solar Reflectivity Report	610.18621-R02	V5.0	SLR	10/09/2021
Preliminary Site Investigation	E24140.E014	4	EI Australia	08/09/2021
Green Travel Plan	18NL349-GTP7	-	Loka Consulting Engineers	31/08/2021

Acid Sulfate Soils Management Plan	E241140.E14	-	El Australia	08/09/2021
Flood Study Report	20180051-R01	I	SGC	02/09/2021
Flood Emergency Response and Evacuation Plan	20180051-R02	G	SGC	02/09/2021
Acoustic Report	SYD2020-1014-R001K	-	Acouras Consultancy	02/09/2021

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

Construction Certificate

2. 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 relevant Construction Certificate must include any requirements imposed by conditions of this Development Consent.

Reason: To ensure compliance with legislative requirements.

No encroachment on Council and/or adjoining property

3. 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.

Interaction with existing development consent

4. If any Construction Certificates for the site in association with DA/179/2020 (or approved modifications) has been attained, then these can be used for the purpose of satisfying the conditions of this consent, are transferrable and applicable to this DA provided they remain consistent with the approved plans referenced in condition 1 of this consent, and the conditions of this consent.

Noting works have commenced for the site in association with DA/179/2020 and several Construction Certificates already obtained.

Reason: To ensure this development approval does not conflict with the existing approval.

Staging of Works

5. Unless otherwise stated, all relevant terms and conditions are to be met for any Construction Certificate to be issued for those development components being approved as part of that Construction Certificate.

Note: It is acknowledged that separate construction certificates may be issued for separate components within each stage.

Reason: To confirm the potential proposed separate stages of construction.

WaterNSW General Terms of Approval

6. The development shall comply with the requirements of the General Terms of Approval in the Water NSW letter Reference Number IDAS1141941 dated 16 June 2022.

Reason: To comply with WaterNSW integrated requirements.

Airspace Approval Compliance

7. The development is to comply with the terms of the Decision under the Airports (Protection of Airspace) Regulation 1996, issued by the Australian Department of Regional Development, Communications and the Arts, dated 21 October 2022, ref. F17/968-86.

Reason: To ensure the development complies within the airspace intrusion.

Design Excellence Preservation

8. The architectural firm(s) responsible for the design competition winning scheme (Stanisic Architects) is not to be changed without prior notice and approval of Council's Group Manager, Development and Traffic Services.

Reason: To ensure the development maintains the approved design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011.

Design Excellence Change

9. There are to be no design changes to the design competition winning scheme unless they have been endorsed by Council's Design Competition Panel (Design Excellence Jury) or Council's Group Manager Development and Traffic Services Unit.

Reason: To ensure the development maintains the approved design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011

Flooding FFL

10. The minimum finished floor level of all habitable rooms must be the Flood Planning Level which for this development is RL 8.9m AHD.

Reason: To ensure the development maintains appropriate flood protection.

Sensitive Uses Flooding

11. 'Sensitive Uses and Facilities' and 'Critical Uses and Facilities,' as defined in Table 2.4.2.1.1 of the Parramatta DCP 2011 Section 2.4.2. Water Management, are not permitted within the building.

Reason: To ensure the development maintains appropriate flood protection.

Habitable Rooms Flood Protection

12. The habitable floors of all residential uses within the building must be above the Probable Maximum Flood (PMF) which is RL 9.4m AHD as adopted by Council for this site.

Reason: To ensure the development maintains appropriate flood protection.

Commercial Flood Protection

13. Permanent and temporary commercial or retail floor space or uses are not permitted below the Flood Planning Level, which is RL 8.9m AHD.

Reason: To ensure the development maintains adequate flood protection.

Flood Design Requirements

14. To maintain local flood conveyance eastwards from Parkes St, Wigram Street and into the Clay Cliff Creek stormwater floodway, development on the site must have a building footprint that is setback a minimum of 6 metres from the top of the southern outer edge of the Clay Cliff Creek stormwater channel, and a greater amount for the north west corner of the building adjoining Wigram Street (channel wall) in accordance with diagram shown in the DCP for this site.

Reason: To ensure the development maintains adequate flood protection.

Flood Design Cantilever

15. Any cantilever building element (excluding any structural support columns or similar) must have a minimum 4 metre clearance above the ground surface level of the overland flow path throughout the site to enable a landscaped open space to be created. A minimum 4.5 metre setback between the channel bank and the building must be maintained above this clearance height.

Reason: To ensure the development maintains adequate flood protection.

Floodway setback requirements

16. The 6m and wider floodway setback area must be landscaped with a combination of 'soft' and 'hard' landscape treatments. Soft landscape

includes provision of deep soil and deep rooted trees, smaller trees, shrubs and ground cover to Council's reasonable satisfaction. Some elements of the soft landscape may not withstand occasional severe flooding and maintenance must allow for this. Soft landscape is not considered an obstruction to the flood flowpath. 'Hard' landscape treatment is to include a paved pathway and furniture, planter boxes, seating, safety fencing to the concrete channel, accessible ramps, stairs and lighting. These hard landscape elements must be designed to generally withstand the forces of flowing floodwaters and cause minimum obstruction to the flood flow.

Note there are additional design criteria for this area set out elsewhere in this Consent.

Reason: To ensure the development maintains adequate flood protection.

Critical Services and Floodways

17. Wherever possible, critical services infrastructure that could be damaged by flooding such as electrical, lifts, sewer and water are to be placed above the PMF level, or, where that cannot reasonably be achieved, effectively floodproofed up to the PMF level which is RL 9.4m AHD.

Reason: To ensure the development maintains adequate flood protection.

Shelter in Place

18. All building occupants (residents, workers and visitors) must have access to a safe refuge facility or 'shelter in place' above the PMF level of RL 9.4m AHD where they can remain until the flood event has passed and any subsequent disruption after the flood has been rendered safe and serviceable. Given these would likely be catastrophic conditions, the time required for people to remain in the refuge is potentially up to 48 hours. While residents may choose to remain in their own apartments as a safe area of refuge, a communal safe area(s) of refuge for residents, workers and visitors must also be provided and be suitably sized and equipped.

Reason: To ensure the development maintains adequate flood protection.

Communal Safe Area

19. The communal safe area of refuge must have:

- emergency electricity supply, clean water, food, personal washing facilities, medical equipment including a first aid kit, a battery-powered radio and relevant communications equipment.
- all designated safe areas of refuge must have fail-safe access from anywhere in the building including the basement (lift access is not allowed) that is protected from floodwaters up to the PMF (RL 9.4m AHD) by suitable flood doors, flood gates and the like.

Reason: To ensure the development maintains adequate flood protection.

Flood Planning Level

20. A fail-safe access must be provided to an exit/entry point located above the Flood Planning Level which is RL 8.9m AHD that enables people to exit the building during a fire and/or a 1% AEP flood, and allows emergency service personnel to enter a building to attend to a medical emergency in these conditions.

Reason: To ensure the development maintains adequate flood protection.

Fire management system

21. To minimise the chance of a fire during a flood situation, the building must have a fire management system which meets the Australian Building Code Board (ABCB).

Reason: To ensure the development maintains adequate flood protection.

Acoustic Recommendations

22. Adopt and implement all recommendations and acoustic control measures contained in the Acoustic DA Assessment Report, 14-20 Parkes St, Harris Park, Reference SYD2020-1014-R001K, dated 2nd September 2021, prepared by Acouras Consultancy.

Reason: To demonstrate compliance with submitted reports.

Hazardous/intractable waste disposed legislation

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

- a) Work Health and Safety Act 2011;
- b) NSW Protection Of the Environment Operations Act 1997 (NSW); and
- c) NSW Environment Protection Authority (EPA) Waste Classification Guidelines.

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

Site Investigation & Site Audit Statement

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

A site audit statement shall be issued at the completion of the investigation by an approved NSW Environment Protection Authority

Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.

If a site investigation and site audit statement has already been approved for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

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

Imported fill

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

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

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

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

Signage – Contamination

26. A sign displaying the contact details of the remediation shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.

Reason: To provide contact details for council inspectors and for the public to report any incidents.

Require to notify about new contamination evidence

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

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

Discharge of Contaminated Groundwater

28. Groundwater shall be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to

discharge to the stormwater system. The analytical results must comply with relevant NSW EPA water quality standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality.

Other options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason: To ensure that contaminated groundwater does not impact upon waterways.

Contaminated waste to licensed EPA landfill

29. 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.

Soil and Water Management – Stockpiles

30. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

Reason: To ensure that building materials are not washed into stormwater drains.

Waste facilities in Mixed Use Developments

31. The waste handling, storage and collection systems for residential and commercial wastes are to be completely separate and self-contained, and designed in accordance with the City of Parramatta Waste Management Guidelines for New Developments. A caretaker is to be appointed by the managing body to be responsible for the management of all waste facilities.

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

Amenity of waste storage areas (general)

32. All waste storage areas/rooms are to comply with the City of Parramatta Waste Management Guidelines for New Developments. No waste materials are to be stored outside the building or any approved waste storage area at any time.

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

Garbage Chutes

33. Any garbage chutes must be designed in accordance with the requirements of the Building Code of Australia and the NSW EPA's *Better Practice Guide for Resource Recovery in Residential Developments*

(2019). Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.

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

No trees are to be removed on public property

34. 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.

TfNSW Requirements

35. The following are required to be complied with, as requested by TfNSW:

- a) All buildings and structures together with any improvements integral to the future use of the site shall be wholly within the freehold property (unlimited in height and depth), along Parkes St boundary.
- b) All vehicles shall enter and exit the site in a forward direction
- c) The proposed development will generate additional pedestrian movements in the area. Pedestrian safety is to be considered in the vicinity.

Reason: To ensure compliance with TfNSW requirements.

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

Acoustic Recommendations Assessment

36. A detailed acoustic assessment shall be undertaken by a suitably qualified acoustic consultant during Construction Certificate stage, after mechanical plant and equipment selections have been made, with regard to acoustic treatments required to ensure the operation of all mechanical systems meet the project noise criteria given in Acoustic DA Assessment Report, 14-20 Parkes St, Harris Park, Reference SYD2020-1014-R001K, dated 2nd September 2021, prepared by Acouras Consultancy. The report shall be provided to the Principal Certifying Authority prior to the issue of a Construction Certificate.

Reason: To demonstrate compliance with submitted reports.

Vehicle Swept Paths

37. Prior to issue of the relevant construction certificate, vehicle swept paths shall be submitted to Council for approval by the Group Manager, Development and Traffic Services. The swept paths shall demonstrate

satisfactory movements for vehicles entering and exiting the site taking into consideration medium rigid vehicle movements from the site and within the loading dock. Council should be satisfied that the basement and vehicular crossing design complies with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018.

If vehicle swept paths have already been approved for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

Reason: To ensure satisfactory vehicular access.

LSL Payment

38. 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.

As agreed with NSW Long Service Corporation at the time, if a Long Service Levy Fee has already been paid for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition, however, any difference is to be paid in excess.

Note: The Long Service Levy is to be paid directly to the **Long Service Corporation** at 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.

Payment of Security deposits

39. 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
Hoarding: \$3,015-\$12,050.00 per street frontage in current financial year.	\$24,100.00
Nature Strip and Roadway: 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.	\$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.
- Where any existing security bond is with Council for this site, this can be used for the purposes of this application for the satisfaction of this condition. Where any difference applies the extra bonds is to be paid.

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/883/2021
- (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) 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.

Parramatta CBD Develop. Contributions Plan 2007

40. A monetary contribution comprising **\$2,953,951.53** is payable to City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the Parramatta CBD Development Contribution Plan 2007 (Amendment No. 5).

Payment must be made by EFTPOS, bank cheque or credit card only.

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

At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician (Australian Bureau of Statistics, ABS – www.abs.gov.au).

Parramatta CBD Development Contribution Plan 2007 (Amendment No. 5) can be viewed on Council's website at:

www.cityofparramatta.nsw.gov.au/business-developmentplanning/development-contributions

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

Freight and Servicing Management Plan (TfNSW)

41. Prior to the issue of any construction certificate, the applicant shall prepare a detailed Freight and Servicing Management Plan in consultation with the Sydney Coordination Office within TfNSW. The applicant shall submit a copy of the final plan to the Coordinator General, Transport Coordination within TfNSW for endorsement. The Plan needs to specify, but not be limited to, the following:

- Details of the development's freight and servicing profile, including the forecast freight and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay for residential and retail uses;
- Details of loading and servicing facilities within the site which adequately accommodate the forecast freight and servicing traffic volumes of the of the residential and retail uses of the development (including long dwell time service vehicles) so as to not rely on the kerbside restrictions to conduct the development's business, including any necessary provision of greater loading bay capacity;
- Measures to ensure there is no queuing of freight and service vehicles

including details of alternative parking locations to redirect vehicles if queuing occurs;

- Management of conflicts between freight and service vehicles entering and exiting the site simultaneously;
- Loading bay management details including controls of duration of delivery vehicle stay;
- Management details to ensure all long-term loading and servicing is accommodated within the loading dock;
- Procedures for tradesman access and parking;
- Details on how the loading area will be managed and used by all building tenants; and
- Details of a pre-booking system.

The Freight and Servicing Management Plan shall be implemented by the applicant following the issue of an Occupation Certificate.

If Freight and Servicing Management Plan has already been approved for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

Reason: To comply with TfNSW requirements.

Public Domain Construction Drawings

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

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

Grading of the pedestrian footway:

- Detailed design spot levels and designed contour lines are required.
- Localised flattening of public footpath levels at building doorways is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Council. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.

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

- The latest City of Parramatta Public Domain Guidelines (PDG);
- The approved Public Domain Drawings, and
- Alignment levels as agreed with CoP's agreed with the civil assets team
- All the conditions listed in this consent.

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

- Allowed widths for driveways must be as per the Parramatta City centre DCP
- Proposed trees in the rear setback form part of the publicly accessible areas being developed along the Clay Cliff Creek, and thus should be 400L trees
- Proposed trees along Parkes Street must be 400L trees

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

Footway Specifications

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

Footpath

The standard 'City Centre Paving' concrete paver, as per the PDG, **Pebblecrete, product PPX:544:35D, 300x300x60mm, with honed finish** shall be applied to the entire public domain areas in Parkes Street and Wigram Street, to the full length of the development site. This includes the public footway and any setback between the building/podium line and property boundary.

For unit paving, the footpath paving set out and details must comply with Council's design standard (DS40, sheet 1-3). The Public Domain Construction Drawings must be prepared to reflect the Council standard details.

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

Standard concrete paving, as per Council Standard detail DS 3, shall be applied to the footpath and ramp along the creek, to the full length of the development site. Detailed design spot levels are required.

Kerb Ramps

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

Ramps are to be aimed to the ramp on the opposite side of the road as per AS 1428.1 and 1428.4.1

Vehicle Crossing

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

Pit lids and grates

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

A schedule of proposed pit lid and grate finishes is to be submitted with the Public Domain Construction Drawings set. Drainage grates on an accessible path of travel and within common areas, are to have slots or circular openings with a maximum width of 13mm. Slots are to be laid with the long dimension at right angles to the paths of travel.

Tactile Indicators (TGSIs)

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

Clear Path of Travel (Shore-Lining)

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

Steps, Handrails and Ramps

Any steps, handrails and ramps in public domain or publicly accessible private spaces must comply with the latest version of AS1428.1 and AS1428.4

Where ramps are concerned, preference is to achieve ramps which do not require handrails (i.e. make them flatter than 1:20).

All steps, handrails and TGSIs required to access the private property, must not protrude into the public footway.

Slip Resistance

All pebblecrete paving (concrete pavers) shall have **non-slip surfaces** that comply with a P5 rating as per AS4586:2013.

For the pebblecrete paving (concrete pavers) apply 2 coats of solvent based single pack acrylic coating with Size 36/46 Aluminium Oxide grit, and one top coat with the same product. Independent slip resistance test results to P5 Classification (Wet Pendulum Test) of completed works should be submitted.

Street Furniture

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

Park furniture must also be provided in the publically accessible at the rear of the site along Clay Cliff Creek to the satisfaction of Council Officers.

Cycle racks

Public bike racks shall be supplied and equally distributed (clusters of max 4-off racks) to the furniture zone of Parkes Street and Wigram Street as per the PDG. Location outside of this zone to be agreed by Council's DTSU Manager prior to issue of Construction Certificate.

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

Lighting

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

Multi-media conduit

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

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

Reason: To comply with the Public Domain Guidelines.

Street Tree Specifications

44. Notwithstanding the approved public domain alignment drawings, 1 additional street trees at 8-10m c/c, species to match existing, pot size

100 L, must be provided along Parkes Street in addition to the existing tree.

Tree species proposed in the stamped approved public domain drawings, pot size 200L, must be provided along the Clay Cliff Creek corridor.

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

All trees supplied must be grown in accordance with AS2303:2018 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2018. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

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

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

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

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

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

Calculations demonstrating tree pit and soil volume compliance as per the PDG are to be included in the Public Domain Construction Drawings. Soil volume calculations are to be based on a maximum depth of 1.2 m excluding any drainage layers.

For any planting on podium slabs or any built planters, required soil volumes should be based on ADG (Refer Apartment Design Guide, Section 4P, Table 5).

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

Reason: To ensure high quality street trees are provided, and to minimise plant failure rate and ensure quality of stock utilised.

Specialist Reports

45. The recommendations in the specialist reports outlined in Condition 1 of this consent shall be incorporated into the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Principal Certifying Authority.

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

Reason: To ensure the development is implemented as proposed.

Liveable Housing

46. At least **66** of the residential units shall be designed and fit-out to achieve the 'silver level' requirements as set out in the Liveable Housing Design Guidelines Details published by Liveable Housing Australia. Details shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

Reason: To ensure the required liveable dwellings are provided.

Submit Detailed Concept Development, Including Art

47. A Detailed Public Art Plan prepared by a suitably qualified and experienced public art consultant, developed in accordance with the City of Parramatta's 'Interim Public Art Guidelines for Developers' and the concept Public Art Strategy by **Cracknell & Lonergan Architects** dated **02 September 2021** shall be submitted to and approved by Council's Group Manager, Development and Traffic Services Unit, prior to the issue of the relevant Construction Certificate.

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

This plan must confirm that the budget for the public art works shall not be less than 0.1-0.5% of the total cost of works of the development as approved.

Requires a maintenance schedule for the works, the ongoing implemented of which shall be at the cost of the relevant body corporate/Owners Corporation.

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

External Walls and Cladding Flammability

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

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

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

Design Winner Ongoing Involvement

49. Prior to the issue of the relevant Construction Certificate/s evidence must be provided to the satisfaction of Council's Group Manager, Development and Traffic Services that the architectural firm(s) responsible for the design competition winning scheme (or Registered Architect appointed as per Condition 8) have been commissioned, and will have direct and ongoing involvement in the design documentation and construction stages of the project, including signing off any required certifications for the Development Application, Modification Applications, Construction Certificate and Occupation Certificate stages.

Reason: To ensure the development exhibits design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011.

Design Jury Review

50. Prior to the issue of the relevant Construction Certificate(s), evidence must be provided to the satisfaction of Council's Group Manager, Development and Traffic Services that Council's Design Competition Panel (Design Excellence Jury) has confirmed that the architectural drawings, landscape drawings and samples of all external materials, in particular the external glazing and façade detailing, are consistent with the design competition winning scheme.

Reason: To ensure the development exhibits design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011

Design Excellence Details

51. Prior to the issue of the relevant Construction Certificate, documented details (photos, videos) and an accompanying report of the 1: 1 manufactured visual mock-up (VMU) of key junctions of the external glazed facade (minimum 3m x 3m dimensions) must be submitted to, and approved by, Council's City Design Unit and Environmentally Sustainable Development consultant.
Reason: To ensure the development exhibits design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011.

Design Excellence Details

52. Prior to the release of the relevant construction certificate the applicant shall submit for the approval of the City Architect, key cross sections, partial plans and partial elevations through external walls, balconies, pergolas and other key external details. Drawings are to be fully annotated at a scale of 1:50 (or if necessary 1:20) showing details, materials, finishes and colours, so that the details and materiality of the external facades are clearly documented. Revised 3D photomontages should also be submitted. The development shall be completed in accordance with the plans approved to satisfy this condition.
Reason: To ensure the design excellence quality of the development is retained.

Energy Provider Requirements

53. Documentary evidence from Endeavour Energy is to be submitted to the satisfaction of the Principal Certifying Authority confirming that satisfactory arrangements have been made for the removal of the existing substation (including the release of easement) and the connection of electricity and the design requirements for the new substation, prior to the release of the Construction Certificate.
Note: As part of the application for connection of load to Endeavour Energy's Network Connections Branch the applicant will also need to make application for relocation / removal of the existing indoor substation. The applicant is encouraged to approach a Level 3 ASP to obtain preliminary details of the assets and discuss possible solutions to the requirements of the development. The applicant must provide as much detail as possible concerning the electrical assets they wish to relocate / remove. Endeavour Energy's Network Connections Branch will also make the applicant or their ASP aware of the requirements to seek the release of the existing easement over the site.

If documentary evidence from Endeavour Energy has already been submitted to the PCA for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

Reason: To comply with Endeavour Energy requirements.

Acid Sulfate Soils Management

54. A detailed acid sulfate soils management plan is to be prepared as per the recommendations contained within Section 5 of the Geotechnical Report prepared by EI Australia dated 08/09/2021. This report is to be submitted to the satisfaction of the Principal Certifying Authority before the issue of any Construction Certificate.

If an acid sulfate soils management plan has already been submitted to the PCA for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

Reason: To ensure acid sulfate soils are adequately managed on site.

Storage Provision

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

- 1 bedroom units – 6m³
- 2 bedroom units – 8m³
- 3+ bedroom units – 10m³

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

Stormwater Disposal

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

Reason: To ensure satisfactory stormwater disposal.

Retaining walls

57. 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.

Sydney Water Quick check

58. 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.

Dial Before you Dig Service

59. 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.

If written confirmation from NDBYD already been submitted to the PCA for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition, provided no changes.

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

Basement carpark and subsurface drainage

60. The basement stormwater pump-out system, must be designed and constructed to include the following:
- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
 - (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - (i) The permissible site discharge (PSD) rate; or
 - (ii) The rate of inflow for the one hour, 5 year ARI storm event.
 - (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.

- (d) A 100 mm freeboard to all parking spaces.
- (e) Submission of full hydraulic details and pump manufacturers specifications.
- (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

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

If plans and design calculations has already been submitted for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

Reason: To ensure satisfactory storm water disposal.

Design to withstand flooding

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

Reason: To ensure the structure can withstand flooding impacts.

Flood warning system for medium/high density dev.

- 62. The building must include a flood warning alarm system activated by a float valve. Details must be provided to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate.

Reason: To ensure the flood warning system is installed.

Water treatment for stormwater

- 63. Stormwater quality treatment devices must be installed to manage surface runoff water 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.

Shoring for adjoining Council property

- 64. 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.

Construction of a heavy duty vehicular crossing

65. 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.

Disabled parking

66. 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.

Security roller shutters for basement car parking

67. 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.

Impact on Existing Utility Installations

68. 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.

Support for Council roads, footpath, drainage reservation

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

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

Reason: To protect Council's infrastructure.

Driveway Grades

70. 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.

Construction Certificate Flooding Measures

71. Adequate documentary evidence must be submitted to Council's Group Manager DTSU for approval prior to the relevant Construction Certificate incorporating the following matters within the building design:
- a) an early flash-flood warning system, triggered by rainfall forecasting, must be provided to advise occupants and those in the adjacent public domain of imminent flash flooding. This may be done in collaboration with Council, the SES and The BoM. Details must be incorporated in the Flood Emergency Response Plan and submitted for approval by the PCA prior to release of the relevant Construction Certificate.
 - b) the sealing of all doors, ventilation ducts or other openings up to a height/level of RL 9.4 m AHD, to prevent the ingress of overland flows into the basements
 - c) back-up power generator capable of supplying all the electrical needs of the facility for 48 hours;
 - d) installation of a sealed sewage tank under the basement carpark to temporarily hold sewage overflows for up to 48 hours (or for a time

period otherwise demonstrated as appropriate) in the event that the sewage system ceases to operate due to flooding in Clay Cliff Creek or the Parramatta River;

- e) installation of a potable water tank (or appropriate alternate supply and management system) for back-up water supply (for drinking) in the event that the water supply systems cease to operate for a period of up to 48 hours due to flooding in Clay Cliff Creek or the Parramatta River;
- f) water level sensor and logic controls included within the operation of all passenger lifts to ensure any lift does not descend into flood waters in the event of a major flood inundating the basement car park or ground floor of the building.
- g) Flood gate for the basement carpark to provide flood immunity up the PMF level which is RL 9.4m AHD
- h) a flood evacuation stairway from all basement levels directly without obstruction to the flood refuge on the first floor. Floodwaters shall be excluded from this stairway and the basement up to the PMF level which is RL 9.4m AHD, using flood doors or flood gates.

An unobstructed stairway between the ground floor and the first floor near to the flood refuge to enable people to escape floodwaters at ground level and to enable emergency access to the flood refuge, basement and building in general.

If any plans, reports, design calculations or alternative arrangements have already been approved for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

Reason: To ensure the development maintains adequate flood protection.

Flood Protection

72. Passive (non-mechanical) flood protection to the Flood Planning Level, which is RL 8.9m AHD, is required to be provided to all of the basement car park entries and openings from ground floor level (driveways, stairwells, lifts, service cores etc. and any other vertical openings) by provision of crests and continuous bunding. This must be shown on plans submitted to Council's Group Manager DTSU for approval prior to the release of the relevant Construction Certificate.

All vehicular and pedestrian entry points and other openings to the basement level, including fire stairs that exit the building below the PMF level, are to be protected with automatic, fail-safe systems such as increased crest levels or self-actuated flood gates and/or flood doors up to the PMF level which is 9.4 m AHD.

Stairways and lifts within the building that connect the basement levels to the shelter in place refuge on the first floor above the PMF level must be protected from inundation by approved self-operating flood barriers and/or

flood doors up to the PMF level or as high as practicable, to prevent water from entering the basement levels.

Designs must include adequate ventilation of the basement carparks during severe floods up to the PMF event. For example, the inlet/outlet vents of ventilation shafts are to be located well above the PMF level.

Flood proof gates and doors and any other necessary measures such as protection of vents and openings, must be installed and maintained in fully operational condition in perpetuity as part of the Building Management Plan.

Details of the above must be submitted to Council's Group Manager DTSU for approval prior to release of the relevant Construction Certificate.
Reason: To ensure the development maintains adequate flood protection.

Flood Protection Certification

73. Prior to the release of a Construction Certificate, certification from a qualified and experienced flood engineer must be submitted to the satisfaction of the Principal Certifying Authority to demonstrate that:

- a) The minimum finished floor level for any residential rooms is set at the PMF level of RL 9.4m AHD.
- b) All building and landscape construction below the PMF level of RL 9.4m AHD is designed to be inundated and to resist the forces of moving floodwaters, water-borne debris and flotation.
- c) The finished floor levels of all habitable rooms / floors are at or above the Flood Planning Level which is RL 8.9m AHD.

Details must be shown on the plans submitted to the Principal Certifying Authority for approval prior to release of a relevant Construction Certificate.

Basement Flood Protection

74. The basement walls, floor slab and joins must be fully tanked (waterproofed) and designed to withstand hydrostatic loading from adjacent groundwater. Council does not permit a 'drained' basement nor pumping out of such groundwater into the Council stormwater system

Prior to finalising the Construction Drawings for submission, a Geotechnical Report shall be prepared specifically for the development site, by a suitably qualified Geotechnical Engineer. The Structural & Foundation designs and the excavation methods proposed for the development shall be assessed in accordance with the requirement for fully tanked construction and consequent recommendations made in the Geotechnical Report. In this regard, a Structural Certification from a

suitably qualified structural engineer shall be submitted with the application for the relevant Construction Certificate, addressing that the final design drawings are adequate for tanked construction and otherwise prepared in accordance with the recommendations of the Geotechnical Report. A copy of the Geotechnical Report shall be submitted for approval by the Certifying Authority. The Geotechnical / Civil engineering report shall address (but is not limited to) the following:

- i. The type and extent of substrata formations by the provision of a minimum of 4 representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs shall be related to Australian Height Datum.
- ii. The appropriate means of excavation/shoring and proximity to adjacent property and structures. Potential vibration caused by the method of excavation and potential settlements affecting nearby footings/foundations shall be discussed and ameliorated.
- iii. The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property structures and road reserve if nearby (full support to be provided within the subject site).
- iv. The existing groundwater levels in relation to the basement structure, where influenced.
- v. The drawdown effects on adjacent properties (including road reserve), if any, 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 the potential for the development to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path is constructed, artificial drains such as perimeter drains and through drainage may be utilised.
- vi. Recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program (as 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 at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.

The geotechnical report must be prepared by a suitably qualified consulting Geotechnical / Hydro Geological engineer with previous 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 property and structures both during and after construction. The report shall contain site specific geotechnical recommendations and shall 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.

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 C of AS 2870 - 1996.

Planting upon structure

75. Plans and documents submitted must include the following with an application for a Construction Certificate:
- (a) Construction details are to be provided by a suitably qualified structural engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens. All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.
 - (b) Soil volume, soil depth and soil area must meet the prescribed standards in "Apartment Design Guide – tools for improving the design of residential apartment development" (NSW Department of Planning and Environment, 2015). Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect/Designer.
 - (c) A specification ('Fit-for-purpose' performance description) for soil type and a maintenance schedule specified by a suitably qualified

Soil Scientist, to ensure sufficient nutrient and water availability is achieved.

Reason: To ensure the creation of functional gardens.

Landscape maintenance

76. All landscape works shall be maintained for a minimum period of one (1) year following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

Street Tree Protection Bond

77. A security bond of \$9,178.88 (\$2,185.45 per street tree) shall be deposited with Council to guarantee the protection of the adjacent public street trees during demolition/construction works in accordance with Section 4.17 of the *Environmental Planning and Assessment Act 1979* and Council's adopted Fees and Charges. The bond is to be lodged with Council prior to the issue of a Construction Certificate, and prior to any demolition works being carried out where a Construction Certificate has not been issued or not required. If an existing street tree bond is in place for this site, then this can be used for the satisfaction of this condition provided it meets the amount listed above, it can be uplifted with a supplementary bond.

If a Street Tree Protection security bond has already been paid for this site, then this can be used for the satisfaction of this condition provided it meets the amount required by Council's adopted Fees and Charges at the time of payment. Where any difference applies, the extra Fees and Charges is to be paid.

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

Tree Protection Methodology Statement

78. Methodology Statement, prepared by a suitably qualified arborist (Australian Qualification Framework Level 5 or above), must accompany the application for a Construction Certificate. This statement is to identify the measures to be implemented for protection of the existing street trees located in front of the subject site (14-20 Parkes Street Harris Park) during construction and the expected future health of the trees. The statement is to be structured so that each of the following stages of construction are individually addressed, namely:

- a. Excavation;
- b. Canopy trunk and tree root protection;
- c. Construction of any retaining wall;
- d. Installation of services (i.e. bridging of roots);
- e. Back filling; and
- f. Any other stages that the project arborist deems necessary.

Reason: To ensure adequate protection of existing trees.

No external service ducts for multi-unit develop

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

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

Single master TV antenna

80. 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 relevant Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To protect the visual amenity of the area.

Overhead cabling multiple dwellings only

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

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

Obscure glazing for all bathroom & WC windows

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

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

Disabled access for commercial developments

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

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

Accessibility in Common Areas

84. All the common areas proposed within the site, including rooftop terraces, shall be fully accessible.

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

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

Reason: To improve accessibility.

SEPP 65 verification

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

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

Reason: To comply with the requirements of SEPP 65.

Infrastructure & Restoration Adm. fee for all DAs

86. 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 Councils adopted 'Fees and Charges' at the time of payment.

If an Infrastructure and Restoration Administration Fee has already been paid for this site, then this can be used for the satisfaction of this condition provided it meets the amount required by Council's adopted Fees and Charges at the time of payment. Where any difference applies, the extra Fees and Charges is to be paid.

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.

Construction Noise Management Plan

87. 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.

If a Construction Noise Management Plan has already been approved for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

Reason: To prevent loss of amenity to the area.

Energy Provider requirements for Substations

88. 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.

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

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

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

Adaptable Dwellings

89. The development must incorporate a minimum of 34 adaptable dwellings. Plans submitted with the relevant Construction Certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

Note: Consideration is to be made that adaptable housing should be possible at relatively little extra initial cost. Later modification to adaptable housing will prove relatively easy to do at minimum inconvenience and minimum cost in accordance with AS4299 Principle (b)

Reason: To ensure the required adaptable dwellings are appropriately designed.

Roller Shutter Details

90. If a roller shutter door is to be provided at the driveway entry and exit from Parkes Street, it is to be opened at all times from 7am to 8pm seven days a week. The roller shutter door is to be operated via remote control for regular users. If an intercom is installed, it is to be provided at the centre of the driveway (not attached on the wall) to the carpark in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.

Reason: To comply with Australian Standards and to ensure free influx of traffic which will not adversely affect traffic or pedestrian flows in the frontage road.

Car Parking

91. The PCA shall ascertain that any new element in the basement and podium carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS 2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the relevant construction certificate application.

Reason: To ensure appropriate vehicular manoeuvring is provided.

Bicycle parking

92. 185 (166 being residential and 19 being commercial) bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

Parking Provision

93. 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 236 parking spaces is to be provided and be allocated as follows:

- a) 228 spaces for the residential units including 34 spaces as accessible parking;
- b) 6 car parking spaces for commercial and retail tenancies;
- c) 1 car share space;
- d) 1 car wash space.

Details are to be illustrated on plans submitted with the relevant construction certificate application.

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

Parking Restriction

94. Permanent residential or commercial storage cages are to be installed on level 3 where it is labelled "Commercial Amenities" to prevent any likelihood for this space to be used as extra parking. The CC plans are to be updated to the satisfaction of the Principal Certifier.

Reason: To ensure the maximum parking rate is maintained.

Motorcycle Parking Condition

95. Seven 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 relevant construction certificate.

Reason: To comply with Council's parking requirements.

Convex Mirror

96. Convex mirrors, as shown on the floor plans, are to be installed within the car parking areas, with their height and location adjusted to allow drivers a full view of the driveway in order to see if another vehicle is coming through. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To ensure safety of drivers.

Loading Dock Management Plan

97. Prior to the issue of the relevant construction certificate, the applicant shall submit a Loading Dock Management Plan to the satisfaction of Council's Traffic and Transport Manager and the Transport for NSW. The Plan must address the following matters:

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

If a Loading Dock Management Plan has already been approved for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

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

Car Share Space

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

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

Restrict Access to Left in - Left out

99. Access to the site is to be restricted to Left in – Left out arrangement only. A median island or similar is to be installed on Parkes Street to restrict right turn manoeuvring in and out of the development. Detailed engineering design plans of the preferred treatment is to be submitted to Council's Traffic and Transport Manager for consideration by the Parramatta Traffic Committee and approval by Council. The construction of the approved treatment is to be carried out by the applicant and all costs associated with the supply and construction of the median 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.

Reflectivity Requirements

100. Prior to the issue of a relevant Construction Certificate, the following reflectivity requirements must be indicated on the plans and demonstrated to the satisfaction of the Certifying Authority:

- (a) External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The visible light reflectivity of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place.
- (b) Façade glazing with a southerly orientation is to have a visible light reflectivity no greater than 10%
- (c) The mitigation measures detail in the Reflectivity Assessment prepared by SLR dated September 2021 are to be incorporated.

Details must accompany the relevant Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To have a minimal impact on road users and users of the public domain

ESD Initiatives

101. Prior to the issue of a relevant Construction Certificate, the following must be indicated on the plans and provided to the satisfaction of the Principal Certifying Authority:

- (a) A dual reticulation (dual pipe) system is to be installed throughout the development to support the immediate or future connection to a recycled water network. If a recycled water network is not currently available, the design of the dual reticulation system is to be such that a future change-over to an alternative water supply can be achieved without significant civil or building work, disruption or cost. To facilitate this, the dual reticulation system is to have:
 - (i) One reticulation system servicing drinking water uses, connected to the drinking supply, and
 - (ii) One reticulation system servicing all non-drinking water uses.

- (iii) The non-drinking water system is to be supplied with harvested rainwater, with drinking water backup, until such time as an alternative water supply connection is available
- (b) Rainwater collection and reuse is to be installed, suitably sized and connected to serve all non-drinking water uses through the dual reticulation system.
- (c) Solar photovoltaic generation must be installed as per the approved plans.
- (d) Materials for Solar photovoltaic panels on the roof are to have a minimum solar reflectivity index (SRI) of 82 if a horizontal surface or a minimum SRI of 39 for sloped surface greater than 15 degrees.
- (e) All new air-conditioning and refrigeration equipment are to use refrigerants with a GWP of less than 10.

Reason: To improve the environmental sustainability of the building.

Electric Vehicle Charging

102. Prior to the issue of a Construction Certificate, the following must be indicated on the plans and demonstrated to the satisfaction of the Principal Certifying Authority:

- (a) All multi-unit residential car parking and commercial car parking must provide an EV Ready Connection to each and every space allocated to residents
- (b) Provide EV Distribution Board(s) in of sufficient size to allow connection of all EV Ready Connections.
- (c) Locate EV Distribution board(s) so that no future EV Ready Connection will require a cable of more than 50m from the parking bay to connect.
- (d) Each EV Ready Connection is served from a cable tray and a dedicated spare 32A circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit.
- (e) EV Distribution Boards are to be dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods, to ensure impacts of maximum demand are minimised. To deliver this, the distribution board will be complete with an EV Load Management System and an active suitably sized connection to the main switchboard.
- (f) EV Load Management System is to be capable of:
 - reading real time current and energy from the electric vehicle chargers under management
 - determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are full recharged
 - scale to include additional chargers as they are added to the site over time.

Reason: To provide all necessary infrastructure for residents to install Electrical Vehicle charging without significant technical or financial barriers.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

Appointment of PCA

103. 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.

Toilet facilities on site

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

Reason: To ensure adequate toilet facilities are provided.

Site Maintenance

105. 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.

Enclosure of the site

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

Reason: To ensure public safety.

Site Sign

107. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 70 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.

Public liability insurance

108. 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.

If Public Risk Insurance has already been provided to Council for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

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

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

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

Footings and walls near boundaries

109. 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.

Construction and Traffic Management Plan

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

- a) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- b) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
- c) The location of proposed Work Zones in the egress frontage roadways,
- d) Location of any proposed crane standing areas,
- e) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- f) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- g) The provisions of an on-site parking area for employees, trade person and construction vehicles as far as possible,
- h) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors,
- i) A detailed description of locations that will be used for layover for trucks waiting to access the construction site,
- j) Proposed construction hours,

- k) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements,
- l) Construction program that references peak construction activities and proposed construction 'Staging',
- m) Any potential impact to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works,
- n) Cumulative construction impacts of the Parramatta Light Rail (Stage 1) project. Should any impacts be identified, the duration of the impacts,
- o) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified,
- p) 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,
- q) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road if applicable, and,
- r) A schedule of site inductions on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations,

If a Construction and Traffic Management Plan has already been approved for this site in association with DA/179/2020, then this can be used for the satisfaction of this condition.

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

Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Work Zone' restriction in the egress frontage roadways of the development site. Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Work Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside

charges are to be refunded once a written request to remove the restriction is received by Council.

All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.

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

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

Road Opening Permits

111. 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.

Dilapidation survey & report for private properties

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

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

In the event access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing

that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principle Certifying Authority.

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

Reason: Management of records.

Geotechnical report

113. 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.

Erosion and Sediment Control measures

114. 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.

Shoring and adequacy of adjoining property

115. 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.

Special Permits

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

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:

The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs..

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

Reason: Proper management of public land.

Driveway Crossing Application

117. 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 Council's 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.

Asbestos Hazard Management Strategy

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

is appropriately encapsulated and that the site is rendered suitable for the development.

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

Tree protection as per arborist report

119. The trees identified for protection within the consent shall be protected prior to and during the demolition/construction process in accordance with the Arboricultural Impact Assessment and Tree Protection Plan prepared by Redgum Horticultural dated 8 July, 2021 and the conditions of consent.

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

Tree Pruning Consent Required

120. Consent from Council must be obtained prior to any pruning works being undertaken on any tree on site, or any trees located in adjoining properties.

All approved pruning works must be supervised by an Australian Qualifications Framework (AQF) Level 3 certified Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.

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

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

Materials on Footpath

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

Reason: To ensure pedestrian access.

Materials on Drainage Line

122. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

Reason: To ensure that building materials are not washed into stormwater drains.

Complaints Register

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

- i) The date and time of the complaint;

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

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

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

Mechanical Plant Acoustic Recommendations

124. Adopt project specific noise limits given in the Section 2.3.2 and Table 5 of the Acoustic DA Assessment Report, 14-20 Parkes St, Harris Park, Reference SYD2020-1014-R001K, dated 2nd September 2021, prepared by Acouras Consultancy. The operation of all mechanical plant, equipment and building services shall not exceed project noise trigger levels given in the Table 5.

Reason: To demonstrate compliance with submitted reports.

Noise/Vibration

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

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

Reason: To protect the amenity of the area.

Road Occupancy License (TfNSW)

126. A Road Occupancy Licence (ROL) shall be obtained from Transport Management Centre for any works that may impact on traffic flows on the state road network during construction activities. A ROL can be obtained through: <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>

Reason: To comply with TfNSW requirements.

Construction Vehicles

127. All construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.

Reason: To comply with TfNSW requirements.

Public Domain Work

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

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

The required inspections include the followings:

- Commencement of public domain works including tree protection measures installed and set out of tree pits;
- Subgrade inspection following excavation for footings, drainage and pavements, tree pits showing root barriers, structural soil cell, sub-surface drainage and irrigation system as required;
- Installation of required underground conduits;
- Blinding layer/concrete slab based completion and initial (indicative) set out of pavers street fixtures and fittings as applicable to ensure compliance with the requirements in the Public Domain Guidelines;
- Commencement of the works including survey marks, sub-grade preparation and set out of kerb alignments;
- Completion of concrete blinding layer before any paver to be laid; and set out/location of furniture installation;
- Completion of (raised) planting beds with required sub-drainage layer installed as specified. Procured soil media specifications and docket receipts to be signed at this inspection;
- Completion of unit paving and furniture (seatings) installation. Manufacturer's warranty and maintenance information for all proprietary products shall be provided to Council's Inspection Officer; and
- Completion of paving sealant application and tactile indicator installation as per Council's specification.
- Installation of street trees including required sub-drainage layer installed as specified. Trees shall be installed within 24hrs of delivery; the contractor shall provide Council officers, certification that the trees have been grown in accordance with AS2303:2018 to prove the quality of the tree stock.
- Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

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

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

During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's Public Domain Guidelines. Certification is required to be provided with a relevant Occupation Certificate.

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

Drainage to existing system

129. 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.

Erosion & sediment control measures

130. 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.

Damage to public infrastructure

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

Reason: To protect public safety.

Construction of a standard kerb ramp

132. Standard Kerb Ramps are to be constructed at necessary locations as shown in the Alignment / Public Domain Plans in accordance with Council Plan No. DS4. Details must be submitted to and be approved by Council prior to construction. All costs must be borne by the applicant.

Reason: To provide adequate access.

Nomination of Engineering Works Supervisor

133. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.

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

Importation of clean fill

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

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

Asbestos handled and disposed of by licensed facility

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

Reason: To ensure appropriate disposal of asbestos materials.

Waste data maintained

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

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

Disposal of Material at licensed landfill

137. 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.

Dust Control

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

Reason: To protect the amenity of the area.

Hazardous/intractable waste disposal

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

(a) Work Health and Safety Act 2011;

- (b) NSW Protection of the Environment Operations Act 1997 (NSW); and
- (c) NSW Department of Environment and Climate Change Environmental Guidelines; NSW EPA Waste Classification Guidelines.

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

Liquid and Solid Wastes

140. Liquid and solid wastes generated onsite shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999) and NSW EPA Waste Classification Guidelines.

Reason: To prevent pollution of the environment.

Planting Requirements

141. 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.

No Attachments to Trees

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

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

Trees with adequate root volume

143. 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.

Material Storage and Trees

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

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

Hours of work and noise

145. 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.

Road Occupancy Permit

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

Reason: To ensure proper management of Council assets.

Oversize vehicles using local roads

147. 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) prior to driving through local roads within the City of Parramatta LGA.

Reason: To ensure maintenance of Council's assets.

Copy of Development Consent

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

Reason: To ensure compliance with this consent.

Car Parking & Driveways

149. 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.

Geotechnical Consideration

150. The recommendations as outlined in the Geotechnical Report prepared by EI Australia dated 15/02/2022 shall be implemented to the satisfaction of the Principal Certifying Authority.

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

Remediation Contact Details

151. A sign displaying the contact details of the remediation shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.

Reason: To provide contact details for council inspectors and for the public to report any incidents.

Contamination – Additional Information

152. Any new information which comes to light during remediation, demolition, or construction works, which has the potential to alter previous conclusions about site contamination, shall be notified to the Council and the Principal Certifying Authority immediately.

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

Remediation Works

153. All remediation works shall be carried out in accordance with clauses 17

and 18 of State Environmental Planning Policy 55 - Remediation of Land.

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

Groundwater Analysis

154. Groundwater shall be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant NSW EPA water quality standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

Other options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason: To ensure that contaminated groundwater does not impact upon waterways.

Due Diligence – Potential Archaeological and Aboriginal Objects

155. In the event where discovery of a potential archaeological object or Aboriginal object takes place during demolition works, any and all works shall stop immediately and the NSW OEH be notified. In such circumstances it may become necessary to apply for an AHIP and its approval granted, prior to works re-commencing on site in accordance with the Due Diligence Code of Practice.

Reason: To ensure the appropriate process is undertaken in the event a potential archaeological object or Aboriginal object is discovered during works.

Protection of Waterways

156. All works must be carried out so that:

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

Any material that does enter Clay Cliff Creek must be removed immediately.

Reason: To ensure protection of waterways.

Uncover Relics/Aboriginal Object

157. While building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an

Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning and Environment.

In this condition:

- “relic” means any deposit, artefact, object or material evidence that:-
 - (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - (b) is of State or local heritage significance; and
- “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Reason: To ensure the protection of objects of potential significance during works.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

Occupation Certificate

158. 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.

Street Number when site readily visible location

159. 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.

BASIX Compliance

160. Under section 75 of the Environmental Planning & Assessment Regulation 2021, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. 1225171M_02, will be complied with prior to occupation

Reason: To comply with legislative requirements of section 75 of the Environmental Planning & Assessment Regulation 2021.

Record of inspections carried out

161. 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 relevant 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.

Section 73 Certificate

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

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

Street Numbering

163. 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.

Lot consolidation

164. 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.

Communal Waste Area

165. Prior to the issue of any Occupation Certificate, communal waste facilities and associated vehicle access on the site shall be inspected and approved by Council’s Waste Service Team. Written confirmation of the waste facility approval from Council shall be submitted to the Principal Certifying Authority before the issue of any Occupation Certificate.

Reason: To ensure that appropriate waste collection facilities are provided.

Waste Lockbox

166. Prior to the issue of any Occupation Certificate, a waste lockbox is to be purchased from Council and installed in an agreed location between Council and the applicant. The location can be determined during onsite inspection by Council's Waste Service Team.

Reason: To ensure appropriate access for waste collection

Waste Strata Bylaws

167. Prior to the issue of any Occupation Certificate, a draft strata by-law with the insertion of waste specific by-laws is to be provided to Council's Waste Service Team. The waste specific by-laws can be provided by Council's Waste Service Team.

Reason: To ensure that appropriate waste collection facilities are adequately managed by the authorised representatives and occupants of the building and to ensure no waste activities generated on site is placed on public land.

Waste Room Positive Covenant/Restriction

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

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

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

Note: The standard terms of easement can be found at Appendix A8.1 (Appendix B) of the Parramatta Development Control Plan 2011.

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

Public Domain Prior to Occupation

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

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

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

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

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

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

Driveway Crossover

170. 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.

Reinstatement of laybacks

171. 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.

Installation of Flood Warning System

172. An early flash-flood warning system, triggered by rainfall forecasting and real time monitoring, must be provided and maintained in perpetuity to advise occupants, and those in the adjacent public domain, of imminent flash flooding. This may be done in collaboration with Council, the SES and The BoM. This flood warning system must be in place and operational to the reasonable satisfaction of the PCA prior to release of a Occupation Certificate.

Reason: To ensure adequate flood protection.

Protection of basements

173. To prevent flood waters from entering the basement car park, a driveway crest at or above the Flood Planning Level, which is RL 8.9m AHD, including associated bund walls must be provided. Above this, at or near the crest of the driveway, automatic flood barriers must be installed that exclude floodwaters up to the Probable Maximum Flood (PMF) level of RL 9.4m AHD. Other measures such as flood doors must also be provided at all openings to the basement to exclude flood waters up to the PMF level. A suitably qualified Flood Consultant must certify that this requirement has been achieved to the satisfaction of the PCA prior to release of the Occupation Certificate.

Reason: To ensure adequate flood protection.

Flood Emergency Response Plan

174. A detailed Flood Emergency Response Plan (FERP) generally in accordance with the amended FERP by SGC – (*Flood Emergency Response and Evacuation Plan* Issue H dated 1 September 2021) and consistent with the FERP for the CBD must be prepared and implemented to the satisfaction of the PCA, prior to release of the Occupation Certificate. The detailed FERP must include:

- both warning and evacuation measures for occupants in the building including the most appropriate 'safe areas' and 'safe evacuation routes';
- measures to prevent evacuation from the site by private vehicle;
- the most appropriate emergency response for flood and fire events that occur together;
- a building flood emergency response plan, similar to a building fire evacuation drill, and measures to ensure this is tested at least annually; and
- consultation undertaken with relevant state and local agencies in the preparation of the FERP.

In conjunction with the FERP, a Building Emergency Management Plan for the development must be prepared and implemented in perpetuity and must include all necessary measures to maintain, test and operate the flood protection devices including flood gates, doors and barriers, flood sensors, flood refuges, the flood warning system and the FERP. This FEMP must be in place and operational to the reasonable satisfaction of the PCA prior to release of a Occupation Certificate and must be maintained by the landowner/s in perpetuity.

Reason: To ensure adequate flood protection.

Flood Compatible Materials

175. All construction at or below the PMF level of RL 9.4m AHD must be of flood compatible materials and construction methods. Prior to release of the relevant Construction Certificate, and again prior to release of a Occupation Certificate, the structure shall be certified by a qualified structural engineer, experienced in flooding, that the building will be capable of withstanding the forces of flooding to a level of RL 9.4 m AHD, including hydrodynamic and hydrostatic forces, scour, flotation and debris impacts.

Reason: To ensure adequate flood protection.

Works as Executed stormwater plans

176. Works-As-Executed stormwater plans and accompanying engineers' certifications must be prepared by a Registered Surveyor and suitably qualified Engineers and submitted to the Group Manager DTSU for approval and must address the following:

- a) The Work-As-Executed stormwater plans are prepared on copies of the approved drainage plans issued with the relevant Construction certificate with variations marked in red ink.
- b) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels etc.
- c) The WAE plans show the as-built flood protection measures, stormwater system, rainwater harvesting and WSUD measures.
- d) The WAE Plans must be accompanied by a Certificate of Hydraulic Compliance from a qualified drainage/hydraulic engineer, certifying that the as-built stormwater collection, harvesting and filtration system and flood protection measures function to the standards outlined in the conditions of consent and Council's DCP 2011.
- e) The WAE Plans must be accompanied by a Certificate of structural adequacy from a qualified structural engineer for all building elements stating that they will be able to resist the forces of moving floodwaters, water-borne debris impact and flotation, up to the Probable Maximum Flood (PMF) level of RL 9.4m AHD.
- f) The WAE Plans must show approved verses installed stormwater harvesting and quality improvement measures supported by calculations/modelling to demonstrate as-built functionality.

On approval by Council's Group Manager DTSU, the above is to be submitted to the Principle Certifying Authority for approval prior to the issue of an Occupation Certificate.

Reason: To ensure adequate flood protection.

Flood Protection Positive Covenant

177. Prior to issue of an Occupation Certificate, the Applicant must create a Positive Covenant and Restriction on the Use of Land, prepared in accordance with Section 88E or 88 B of the Conveyancing Act 1919 as appropriate, burdening the landowner/s with the requirement for the maintenance of all flood proofing and flood risk management measures. This includes, but is not limited to, the following:

- a) implementation, maintenance, operation and auditing of infrastructure items which are necessary for the safety of occupants during flood emergencies. This includes the back-up power facility, sewage tank, potable water tank, evacuation refuge area, supplies for the refuge area such as food, medical supplies etc.;
- b) Implementation, maintenance, operation and auditing of the flood warning system and flood emergency response plan;
- c) Regular maintenance and operational checks of the flood gates and flood doors;
- d) Implementation, maintenance, operation and auditing of water level triggers for the lift operation system;
- e) implementation, maintenance, operation and auditing of the flood warning system and the Flood Emergency Response Plan.

The terms of the instruments are to be to Council's satisfaction. The City of Parramatta Council shall be the Authority entitled to release, vary or modify such Instruments.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the City of Parramatta Council and Registered with the LPI prior to the issue of an Occupation Certificate.

Reason: To ensure adequate flood protection.

WSUD Positive Covenant

178. Prior to issue of an Occupation Certificate, the applicant must create a Positive Covenant and Restriction on the Use of Land, prepared in accordance with Section 88E or 88 B of the Conveyancing Act 1919 as appropriate, burdening the landowner/s with the requirement to maintain the on-site stormwater management system and stormwater quality treatment facilities (WSUD).

The terms of the instruments are to be to Council's satisfaction. The City of Parramatta Council shall be the Authority entitled to release, vary or modify such Instruments.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the City of Parramatta Council and Registered with the LPI prior to the issue of an Occupation Certificate.

Reason: To ensure adequate flood protection.

Clay Cliff Creek Easements

179. Prior to the issue of an Occupation Certificate, the applicant must create to Council's satisfaction, easements, restrictions and positive covenants for the purpose of securing and maintaining the overland flow path over the floodway adjacent to the Clay Cliff Creek channel over the area setback 6 metres from the top of the southern edge of Clay Cliff Creek concrete channel and a greater amount for the north west corner of the building adjoining Wigram Street (channel wall) in accordance with diagram shown in the DCP for this site.

The restrictions, covenants and easement/s are to be placed over the floodway and shall enable free access by the public within this zone at all times and shall prevent the placement of any structures, walls, fences, fill or other items (except trees and plants) which may impede the flow paths as well as maintaining the flow paths and fixtures such as paving, furniture, lighting and plantings in operational condition at all times.

The easements, restrictions and positive covenants must allow Council the right to drain such floodwaters across the site and must indemnify Council against any damages or harm thereby caused.

The proposed Instruments and Title documents must be submitted to Council's Group Manager Development & Traffic Services for approval prior to release of the Occupation Certificate.

The terms of the easement/s and instruments are to be to Council's satisfaction. The City of Parramatta Council shall be the Authority entitled to release, vary or modify such easement/s and instruments.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the City of Parramatta Council and Registered with the LPI prior to the issue of an Occupation Certificate.

Reason: To ensure adequate flood protection.

Relevant Reports

180. 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 condition 1 have been completed.

Reason: To demonstrate compliance with submitted reports.

Ventilation – waste storage rooms

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

Reason: To ensure compliance with BCA requirements.

Vehicle washing

182. Washing of vehicles shall be conducted in a vehicle wash bay, which is roofed and bunded to exclude rainwater. The vehicle wash bay shall be installed in accordance with Sydney Water's requirements. A trade wastewater agreement shall be obtained from Sydney Water before operation of the wash-bay commences and a copy of the permit submitted to Council's Environmental Health Unit prior to the issuing of the occupation certificate. The vehicle wash bay shall be regularly cleaned and maintained.

Reason: To ensure proper disposal of waste water.

Qualified Landscape Architect

183. 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.

Street Tree Bond Release

184. To apply for a bond release, Council's Street Tree Bond Release form must be completed (form available at Council's website). The bond is refundable only where Council is satisfied that street tree/s have been adequately protected in accordance with the conditions of consent.

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

Note: Council's Open Space & Natural Resources Team will take up to 21 days from receipt of the request to provide the written advice.

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

Council Reserve Tree Protection Certification

185. The project arborist is to submit a written report to the City of Parramatta Council documenting and certifying that all excavation works within the Tree Protection Zone (AS 4970:2009) of protected street trees were undertaken under the supervision of a qualified Arborist and in accordance with approved plans and consent conditions (including the arborist methodology statement).

Reason: To ensure protection of trees during excavation works.

Certification of Landscaping Works

186. 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.

Completion of Public Utility Services

187. Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.

Before the issue of a occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation

SEPP 65 verification statement OC stage

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

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

Reason: To comply with the requirements of SEPP 65.

Adaptable dwellings

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

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

Post Construction Private Property Dilapidation Report

190. Before the issue of a 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

Green Travel Plan

191. Prior to the issue of the relevant Occupation Certificate(s), a Green Travel Plan supported by details of how that Plan will be implemented. The plan is to include:

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

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

Reason: To comply with Parramatta DCP 2011.

Provision of Car Share Space

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

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

CPTED Measures

193. Prior to the issue of a Occupation Certificate for the residential component of the development, the following measures shall be installed to address CPTED considerations:
- (a) surveillance cameras and recorders are to be installed within the foreshore area as indicated on the approved plans and any subsequent public domain construction drawings, and in accordance with AS/NZS 62676:2020. Recordings should be made twenty four (24) hours a day seven (7) days a week. The time and date must automatically be recorded on all recordings made whilst recording. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed. Recordings must be made available to Council staff or police upon request.
 - (b) appropriate wall mounted down-lighting is to be installed as approved by Council in the public domain construction drawings
 - (c) wayfinding measures within parking levels
 - (d) internal and external lighting to Australian Standards
 - (e) any other measures recommended within the CPTED report prepared by Aland dated July 2021.

Reason: To minimise the opportunity for crime and vandalism to occur.

Foreshore Management and Maintenance

194. A foreshore management and maintenance plan is to be prepared in accordance with the CPTED report prepared by Aland dated July 2021. This plan is to include, but not be limited to: measures for achieving effective space management including activity coordination, ensuring site

cleanliness, use of vandal resistant materials, the rapid repair of vandalism, timely replacement of lighting and refurbishment of physical elements. The plan is to nominate the responsibility of implementation.

Reason: To ensure the appropriate space management of the foreshore area.

Liveable Housing

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

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

Certification – Fire Safety

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

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

Broadband Access

197. Prior to the issue of a Occupation Certificate, the developer is to provide evidence that satisfactory arrangements have been made with the National Broadband Network (NBN) Company or alternative service provider where relevant, and implemented at no cost to Council for the provision of broadband access to the development.

Note: For more information contact NBN Co. Development Liaison Team:

Call: 1800 881 816

Email: newdevelopments@nbnco.com.au

Web: www.nbnco.com.au/NewDevelopments.

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

Provision of Telephone Services

198. The submission of documentary evidence from the telecommunications provider authorised under the *Telecommunications Act 1997* confirming

arrangements have been made for the provision of telephone services prior to the issue of a Subdivision Certificate.

Reason: To ensure appropriate telephone services are provided.

Provision of Electricity Services

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

Reason: To ensure appropriate electricity services are provided.

Strata Subdivision Certificate

200. A separate application must be made to Council or the Principal Certifying Authority to obtain approval of the strata plan under the provisions of the Strata Schemes Development Act 2015.

Reason: To comply with the Strata Schemes Development Act 2015.

Certification – Artwork

201. Final documentation including details of fabrication and installation of the public art work, including a maintenance schedule, must be submitted and approved by Council and the art work completed in full and installed to the satisfaction of Council's City Animation Team prior to the issue of the relevant Occupation Certificate.

Reason: To comply with development control requirements.

Design Jury Review

202. Prior to the issue of the relevant Occupation Certificate and any subsequent relevant Occupation Certificates, evidence must be provided completed to the satisfaction of Council's Group Manager, Development and Traffic Services that Council's City Architect has confirmed that the architectural drawings, landscape drawings and samples of all external materials, in particular the external glazing and façade detailing, are consistent with the design competition winning scheme and that the development has been completed in accordance with approved plans.

Reason: To ensure the development exhibits design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011.

Compliance with Planning Agreement

203. Prior to the issue of an occupation certificate, the proponent must comply with any requirement under the Planning Agreement entered into between Council and Parkes 88 Pty Ltd as trustee for the Parkes 88 Unit Trust (ACN 621 682 335) that must be complied with prior to the issue of the relevant occupation certificate.

Reason: To ensure compliance with the clauses of the Planning Agreement.

PART F – OCCUPATION AND ONGOING USE

Foreshore Management and Maintenance

204. The foreshore management and maintenance plan approved by Council is to be implemented in its entirety, unless otherwise agreed to by Council.

Reason: To ensure the appropriate space management of the foreshore area.

Servicing Hours

205. Commercial and retail deliveries/servicing shall not occur between the hours of 7:00pm and 7:00am daily unless otherwise approved by Council.

Reason: To protect the amenity of the area.

Graffiti Management

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

Reason: To ensure the removal of graffiti.

Signage Consent

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

Reason: To comply with legislative controls.

Ground Level Appearance

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

Reason: To provide an appropriate streetscape appearance.

Goods Not to be Displayed Outside Premises

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

Reason: To ensure visual amenity.

Separate occupation

210. The specific ground floor commercial space and office space on levels 40-45 use or occupation of the premises must be the subject of further approval for such use or occupation.

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

Acoustic Recommendations

211. For all delivery vehicles and privately operated waste collection vehicles for the commercial and retail, the movement of vehicles must be limited

between the hours of 8:00am to 8:00pm on any Saturday, Sunday or public holiday; and 7:00am to 8:00pm on any other day.

Reason: To demonstrate compliance with submitted reports and minimize the noise impact associated with commercial delivery and waste collection vehicle movements at night period.

Use of pool pump

212. The swimming pool pump must not be operated between the hours of 8.00 p.m. and 7.00 a.m. Monday to Friday and 8.00 p.m. to 8.00 a.m. Saturdays, Sundays and Public Holidays.

Reason: To protect the amenity of surrounding properties.

Noise from mechanical equipment

213. 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.

Remove putrescible waste at sufficient frequency

214. 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.

Management of waste storage facilities

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

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

Storage of bins between collection periods

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

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

Liquid and Solid Wastes

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

Reason: To prevent pollution of the environment.

Ongoing Management of Wastes (general)

218. All waste generated onsite must be removed at regular intervals and no less frequent than once weekly for garbage and once fortnightly for recycling. The collection of waste and recycling must not cause nuisance or interfere with the amenity of the surrounding area. Garbage and recycling must not be placed on public property for collection without the formal approval of Council. Waste collection vehicles servicing the development onsite must enter and exit a property in a forward direction.

Reason: To ensure that waste does not accumulate onsite.

Signage in Shared Waste Areas

219. Signage to encourage correct recycling and reduce contamination is required within shared waste rooms / bin storage areas. Standard signage is available through Council.

Reason: To encourage proper waste and recycling practices onsite.

Compliance with Servicing Requirements

220. All waste servicing instructions from Council must be complied with at all times. This includes any directives regarding the presentation of bins to a designated collection point and the maintenance of waste storage areas.

Reason: To ensure the safety and effectiveness of ongoing waste collection services.

External Plant/Air-conditioning noise levels

221. 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.

Release of Securities/Bonds

222. When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held by this consent.

Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Council's requirements.

Note: A written application to Council's Civil Assets Team is required for the release of a bond and must quote the following:

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

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

Reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

Roller shutter door security access card reader

223. If a roller shutter door is to be provided at the driveway entry and exit from Parkes Street, it is to be operated via remote control. A security access card reader and/or an intercom is not required as no visitor parking is provided.

Reason: To comply with Australian Standards.

Green Travel Plan – Display

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

Reason: To discourage trips by private vehicle.

Review report of Green Travel Plan

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

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

Loading Dock Management

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

Reason: To ensure the efficient servicing of the site.

Car Share

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

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

Reason: To comply with Council's parking requirements.

End of Trip Facilities

228. Both the commercial/retail and residential residents of this building are to have equal access to the end of trip facilities within the building.

Reason: To ensure adequate access to trip facilities.

Commercial Retention

229. This site is to retain a minimum 1:1 commercial floor space.

Reason: To ensure the commercial use is not ceased as required under 7.24 of the Parramatta LEP.