

## **“Appendix 1” to Section 4.15 Assessment Report - DA/751/2019/C**

### **DRAFT CONDITIONS OF CONSENT**

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

**Development Consent No.:** DA/751/2019/C  
**Property Address:** Lot 2 DP 1258587  
8 Grand Avenue, ROSEHILL NSW 2142

### **General Matters**

#### **PART A – THE CONCEPT PLAN CONDITIONS**

##### **APPROVED CONCEPT PLAN – STAGE 2**

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

<b>Drawing no. and revision</b>	<b>Title</b>	<b>Dated</b>
DA-015, rev: <del>17 24 27</del> <b>24</b>	Site plan	<del>30 March 2020</del> <del>7 December 2020</del> <del>6 October 2021</del> <b>7 December 2020</b>
DA-017 rev: 3	<del>Height plane diagram</del>	30 March 2020
DA-050, rev: 6 8	Demolition plan	<del>30 March 2020</del> 7 December 2020
<del>DA-150, rev: 8 10 12</del>	<del>Site elevations</del>	<del>30 March 2020</del> <del>7 December 2020</del> <del>3 September 2021</del>
<b>DA-151, rev: C</b>	<b>Site elevations - envelopes</b>	<b>26 October 2021</b>
DA-500, rev: 6 8	Staging plan	<del>31 March 2020</del> 7 December 2020

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

<b>Drawing no. and revision</b>	<b>Title</b>	<b>Dated</b>
170.20(19)/370, rev: A <del>C</del> <b>D</b>	Overall landscape plan	<del>26 March 2020</del> <del><b>3 December 2020</b></del> <b>8 October 2021</b>
170.20(19)/371, rev: A <del>C</del> <b>D</b>	Detailed landscape plan 1	<del>26 March 2020</del> <del><b>3 December 2020</b></del> <b>8 October 2021</b>
170.20(19)/373, rev: A <del>C</del> <b>D</b>	Detailed landscape plan 3	<del>26 March 2020</del> <del><b>3 December 2020</b></del> <b>8 October 2021</b>

The development is to be carried such that it is not inconsistent with, the following **civil plans** prepared by van der Meer Consulting, endorsed with Council's stamp as well as the documentation listed below, except where amended by other conditions of this consent and/or any plan annotations:

<b>Drawing no. and revision</b>	<b>Title</b>	<b>Dated</b>
DA-C101, rev: B <del>E</del> <b>F</b>	Site plan	<del>7 May 2020</del> <del><b>8 December 2020</b></del> <b>27 October 2021</b>
DA-C201, rev: B <del>E</del> <b>F</b>	Bulk earthworks sheet 1 of 2	<del>7 May 2020</del> <del><b>8 December 2020</b></del> <b>27 October 2021</b>
DA-C202, rev: B <del>E</del> <b>F</b>	Bulk earthworks sheet 2 of 2	<del>7 May 2020</del> <del><b>8 December 2020</b></del> <b>27 October 2021</b>
DA-C203, rev: B <del>E</del> <b>F</b>	Bulk earthworks sections sheet 1 of 2	<del>7 May 2020</del> <del><b>8 December 2020</b></del> <b>27 October 2021</b>
DA-C204, rev: B <del>E</del> <b>F</b>	Bulk earthworks sections sheet 2 of 2	<del>7 May 2020</del> <del><b>8 December 2020</b></del> <b>27 October 2021</b>
DA-C210, rev: B <del>E</del> <b>F</b>	Erosion and sediment control	<del>7 May 2020</del> <del><b>8 December 2020</b></del> <b>27 October 2021</b>
<b>DA-C211, rev: A</b>	<b>Erosion and sediment control stage 2</b>	<b>27 October 2021</b>
DA-C301, rev: B <del>E</del> <b>F</b>	Pavement layout sheet 1 of 2	<del>7 May 2020</del> <del><b>8 December 2020</b></del> <b>27 October 2021</b>
DA-C302, rev: B <del>E</del> <b>F</b>	Pavement layout sheet 2 of 2	<del>7 May 2020</del> <del><b>8 December 2020</b></del> <b>27 October 2021</b>

DA-C303, rev: <del>B</del> <b>E</b> <b>F</b>	Pavement details	7 May 2020 <del>8 December 2020</del> <b>27 October 2021</b>
DA-C401, rev: <del>B</del> <b>E</b> <b>F</b>	Drainage layout sheet 1 of 2	7 May 2020 <del>8 December 2020</del> <b>27 October 2021</b>
DA-C402, rev: <del>B</del> <b>E</b> <b>F</b>	Drainage layout sheet 2 of 2	7 May 2020 <del>8 December 2020</del> <b>27 October 2021</b>
DA-C403, rev: <del>B</del> <b>E</b> <b>F</b>	Drainage details	7 May 2020 <del>8 December 2020</del> <b>27 October 2021</b>
DA-C421, rev: <del>A</del> <b>D</b> <b>E</b>	DRAINS catchment plan	7 May 2020 <del>8 December 2020</del> <b>27 October 2021</b>
DA-C422, rev: <del>A</del> <b>D</b> <b>E</b>	MUSIC catchment plan	7 May 2020 <del>8 December 2020</del> <b>27 October 2021</b>

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

Document	Prepared by	Dated
Statement of Environmental Effects	Mecone	January 2020
<b><i>Modification Report</i></b>	<b><i>Patch Planning</i></b>	<b><i>October 2021</i></b>
<del>Construction and Demolition Waste Management Plan (project no. SO437, revision D)</del>	<del>Elephants Foot</del>	<del>31 March 2020</del>
<del>Operational Waste Management Plan (project no. SO437, revision G)</del>	<del>Elephants Foot</del>	<del>31 March 2020</del>
<del>Sustainability Assessment Report (project no. 20190878, revision 3)</del>	<del>Building Services Engineers</del>	<del>8 May 2020</del>
<del>Traffic Impact Assessment (revision 4)</del>	<del>PTC</del>	<del>27 March 2020</del>
<del>Green Travel Plan (revision 2)</del>	<del>PTC</del>	<del>27 March 2020</del>
<del>Crime Prevention through Environmental design report (revision 4)</del>	<del>Mecone</del>	<del>16 December 2019</del>
Remediation Action Plan (report no. E17012-BIL-03-RAP revision 1)	Edison Environmental & Engineering Pty Ltd	22 March 2020

Addendum to Final Remediation Action Plan (reference no. 99509.01 R.002, revision 1)	prepared by Douglas Partners,	7 April 2020
<del>Visual Impact Addendum Report</del> <del>Rev B</del>	<b>Geoscapes</b>	<del>26 October</del> <b>2021</b>

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

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

**Note: Condition modified by DA/751/2019/A, DA/751/2019/B and DA/751/2019/C.**

2. Development is to be carried out sequentially in accordance with the staging plan and Statement of Environmental Effects approved by Condition no. 1 of this consent, including:

- a) Stage 1 – staged or entire site remediation, earthworks, building A and associated works as shown on staging plan approved by condition no. 1 of this consent;
- b) Stage 2 – no consent is granted for construction works within the footprint of building B.

**Reason:** To provide for the orderly development of the site and to ensure the site is made suitable for its intended use.

3. The following applies in relation to the concept approval of Stage 2 –
  - a) The gross floor area of future Stage 2 development must not exceed 14,806sqm;
  - b) The maximum height of building for future Stage 2 development must not exceed ~~20.1m~~ **25.8m**;
  - c) The landscaped area provided for future Stage 2 development must not be less than ~~1,895.85sqm~~ **1,610sqm 2,057sqm**.
  - d) Separate development consent is required for the detailed design of any buildings, structures or associated facilities in Stage 2.

**Reason:** To ensure Stage 2 is subject to separate development consent and to ensure any resulting development is carried out in accordance with the approved clause 4.6 request to vary the site's 12m height limit of Parramatta Local Environmental Plan 2011.

**Note: Condition modified by DA/751/2019/A and DA/751/2019/C.**

## **PART B – STAGE 1**

### **GENERAL MATTERS**

#### **Planning and standard conditions**

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

<b>Drawing no. and revision</b>	<b>Title</b>	<b>Dated</b>
DA-015, rev: <del>17</del> 24 27	Site plan	<del>30 March 2020</del> 7 December 2020 6 October 2021
DA-017 rev: <del>3</del> 7	Height plane diagram	<del>30 March 2020</del> 7 December 2020
DA-025, rev: <del>7</del> 11	Area schedule – GFA plans	<del>30 March 2020</del> 7 December 2020
DA-050, rev: <del>6</del> 8	Demolition plan	<del>30 March 2020</del> 7 December 2020
DA-100, rev: <del>11</del> 14 16	GA – building A – ground floor plan	<del>30 March 2020</del> 7 December 2020 3 September 2021
DA-110, rev: <del>10</del> 13 15	GA – building A – level 1 plan	<del>30 March 2020</del> 7 December 2020 3 September 2021
DA-120, rev: <del>10</del> 12 14	GA – building A – level 2 plan	<del>30 March 2020</del> 7 December 2020 3 September 2021
DA-130, rev: <del>10</del> 13 15	GA – building A – roof plan	<del>30 March 2020</del> 7 December 2020 3 September 2021
DA-150, rev: <del>8</del> 10 12	Site elevations	<del>30 March 2020</del> 7 December 2020 3 September 2021
DA-155, rev: <del>10</del> 13 16	GA – building A – elevations	<del>30 March 2020</del> 7 December 2020 30 September 2021
DA-156, rev: <del>10</del> 14 17	GA – building A – elevations	<del>30 March 2020</del> 7 December 2020 30 September 2021
DA-200, rev: <del>9</del> 15	GA – building A – sections	<del>30 March 2020</del> 7 December 2020
DA-500, rev: <del>6</del> 8	Staging plan	<del>31 March 2020</del> 7 December 2020

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

Drawing no. and revision	Title	Dated
170.20(19)/370, rev: A C	Overall landscape plan	<del>26 March 2020</del> 3 December 2020
170.20(19)/371, rev: A C	Detailed landscape plan 1	<del>26 March 2020</del> 3 December 2020
170.20(19)/372, rev: A C	Detailed landscape plan 2	<del>26 March 2020</del> 3 December 2020
170.20(19)/373, rev: A C	Detailed landscape plan 3	<del>26 March 2020</del> 3 December 2020
170.20(19)/374, rev: A C	Detailed landscape plan 4	<del>26 March 2020</del> 3 December 2020
170.20(19)/083, rev: A B	Detailed landscape plan 5	<del>26 March 2020</del> 3 December 2020

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

Drawing no. and revision	Title	Dated
DA-C101, rev: B E	Site plan	<del>7 May 2020</del> 8 December 2020
DA-C201, rev: B E	Bulk earthworks sheet 1 of 2	<del>7 May 2020</del> 8 December 2020
DA-C202, rev: B E	Bulk earthworks sheet 2 of 2	<del>7 May 2020</del> 8 December 2020
DA-C203, rev: B E	Bulk earthworks sections sheet 1 of 2	<del>7 May 2020</del> 8 December 2020
DA-C204, rev: B E	Bulk earthworks sections sheet 2 of 2	<del>7 May 2020</del> 8 December 2020
DA-C210, rev: B E	Erosion and sediment control	<del>7 May 2020</del> 8 December 2020
DA-C301, rev: B E	Pavement layout sheet 1 of 2	<del>7 May 2020</del> 8 December 2020
DA-C302, rev: B E	Pavement layout sheet 2 of 2	<del>7 May 2020</del> 8 December 2020
DA-C303, rev: B E	Pavement details	<del>7 May 2020</del> 8 December 2020
DA-C401, rev: B E	Drainage layout sheet 1 of 2	<del>7 May 2020</del> 8 December 2020
DA-C402, rev: B E	Drainage layout sheet 2 of 2	<del>7 May 2020</del> 8 December 2020

DA-C403, rev: B E	Drainage details	<del>7 May 2020</del> 8 December 2020
DA-C421, rev: A D	DRAINS catchment plan	<del>7 May 2020</del> 8 December 2020
DA-C422, rev: A D	MUSIC catchment plan	<del>7 May 2020</del> 8 December 2020

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

Document	Prepared by	Dated
Statement of Environmental Effects	Mecone	January 2020
Acoustic Report (job no. 272253 issue 3)	Arup	25 March 2020
Construction and Demolition Waste Management Plan (project no. SO437, revision D)	Elephants Foot	31 March 2020
Operational Waste Management Plan (project no. SO437, revision G)	Elephants Foot	31 March 2020
Sustainability Assessment Report (project no. 20190878, revision 3)	Building Services Engineers	8 May 2020
Traffic Impact Assessment (revision 4)	PTC	27 March 2020
Green Travel Plan (revision 2)	PTC	27 March 2020
Building Code of Australia assessment report (report no. 190380, revision 2)	City Plan	17 December 2019
Access Certification	Obvius Access Consultants	18 December 2019
Crime Prevention through Environmental design report (revision 1)	Mecone	16 December 2019
Remediation Action Plan (report no. E17012-BIL-03-RAP revision 1)	Edison Environmental & Engineering Pty Ltd	22 March 2020
Addendum to Final Remediation Action Plan (reference no. 99509.01 R.002, revision 1)	Douglas Partners	7 April 2020

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

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

**Note:** Condition modified by DA/751/2019/A and DA/751/2019/B.

2. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code).  
**Reason:** To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.
3. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Construction Certificate. Plans, specifications and relevant documentation accompanying the Construction Certificate must include any requirements imposed by conditions of this Development Consent.  
**Reason:** To ensure compliance with legislative requirements.
4. 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.
5. Demolition work must be carried out in accordance with Australian Standard 2601-2001 – Demolition of Structures and the requirements of the NSW WorkCover Authority.  
**Reason:** To ensure appropriate demolition practices occur.
6. Approval is granted for the demolition of structures identified on approved plans currently on the property, subject to compliance with the following:-
  - (a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.  
**Note:** Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.
  - (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
  - (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone



number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.

- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (i) Demolition is to be completed within 30 days of commencement.
- (j) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (k) 1.8m high protective fencing is to be installed to prevent public access to the site.
- (l) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
  - (i) Proposed ingress and egress of vehicles to and from the construction site;
  - (ii) Proposed protection of pedestrians adjacent to the site;
  - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.

- (m) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (n) Before demolition works begin, adequate toilet facilities are to be provided.
- (o) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (p) Within 14 days of completion of demolition, the applicant must submit to Council:
  - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
  - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
  - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

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

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

**Reason:** To minimise costs to Council.

8. This consent does not include any approval for any signage related to the development. No advertisements or signage shall be erected on or in conjunction with the development without prior consent, unless the signage meets the exempt development criteria under State Environmental Planning Policy 9(exempt and Complying Development Cods) 2008.

**Reason:** To comply with legislative controls and clarify the terms of this development consent.

### Engineering

9. The site is subject to flooding in severe flood events up to the Probable Maximum Flood (PMF). All construction must be designed to withstand flood loading up to this PMF level which is RL 7.8m AHD. This is to be confirmed by a structural engineering certificate from a registered structural engineer.

## Environmental health

10. All plant and equipment on site shall be operated and maintained in a proper and efficient manner so as to not cause air pollution.  
**Reason:** To comply with the Protection of the Environment Operations Act 1997.
11. Sufficient supplies of appropriate absorbent materials and/or other spill clean-up equipment shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods only.  
**Reason:** To ensure that any liquid spills can be contained on site and prevent the contamination of stormwater drains.
12. An Environmental Management Plan shall be drafted by a suitably qualified person for the facility to cover all operations. The policy should establish a commitment to the protection of the environment and the prevention of pollution. This policy must cover all aspects of the development that have the potential to cause air, noise, water or land pollution. This policy must be implemented and regularly updated to ensure it remains relevant to the sites operations.  
**Reason:** To ensure that the business establishes a commitment to the protection of the environment.
13. Council being the 'appropriate regulatory authority' must be notified immediately of any pollution incident where material harm to the environment is caused or threatened. This duty extends to persons carrying on an activity, employers and employees, contractors and the occupier of the premises where the incident occurs.  
**Reason:** To comply with the requirements of the Protection of the Environment Operations Act 1997.
14. The fuel filling area shall be designed and operated by a duly qualified person in accordance with:
  - (a) AS4897-2008 The design, installation and operation of underground petroleum storage systems; and
  - (b) NSW Department of Environment and Climate Change – Environmental Action for Service Stations guide (2008).**Reason:** To prevent contamination of the stormwater drainage system.
15. The installation of the fuel storage tank(s) shall comply with Work Health and Safety Act & Regulation and AS1940:2017 'The Storage and Handling of Flammable and Combustible Liquids.'  
**Reason:** To ensure the proper installation of fuel tanks.

16. 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.

17. The air handling system and cooling towers shall be designed, installed and maintained in accordance with the requirements of the Public Health Act 2010 and Regulations. The cooling towers shall be designed and installed in accordance with Australian Standard AS3666.1: 2011 Air-handling and water systems of buildings – Microbial control Design, installation and commissioning and shall be maintained in accordance with Australian Standard AS3666.2: 2011 Air-handling and water systems of buildings – Microbial control Operation and maintenance.

All wastewater from the cooling tower/humidifier/evaporative cooler/warm water system shall be discharged to the sewer under a Trade Waste Agreement from Sydney Water.

**Reason:** To ensure the correct installation and operation of air handling systems.

#### Environmental health – Contamination

18. Remediation works shall be carried out in accordance with the:
- (a) Remediation Action Plan, prepared by Edison Environmental & Engineering Pty Ltd, reference no. E17012-BIL-03-RAP, revision 1 and dated: 22nd March 2019;
  - (b) Addendum to Final Remediation Action Plan, prepared by Douglas Partners, reference no. 99509.01 R.002, revision 1 and dated 7 April 2020;
  - (c) Any other relevant documents submitted in regards to management of contamination on site submitted as part of this application.

The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works.

**Reason:** To comply with the statutory requirements of State Environmental Planning Policy no. 55.

19. A validation report prepared by a suitability qualified person shall be provided to the Certifying Authority and Council within 30 days following completion of the remediation works, which demonstrates:
- (a) compliance with the approved RAP;
  - (b) that the remediation acceptance criteria (in the approved RAP) has been fully complied with;
  - (c) that all remediation works undertaken comply with the contaminated lands planning guidelines, Contaminated Lands Management Act

1997, SEPP 55 and Council's Management of Contaminated Lands Policy;

and includes:

- (d) Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;
- (e) a "notice of completion of remediation work" as required under Clause 18 of SEPP 55; and
- (f) a statement confirming that the site following remediation of contamination is suitable for the intended use.

**Reason:** To ensure that the development complies with the Remedial Action Plan and that the works are in accordance with the Contaminated Land Management Act 1997

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

25. 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.

26. Following excavation and removal of any underground storage tank the land shall be assessed in accordance with the NSW Environment Protection Authority's Technical Note: Investigation of Service Station Sites (2014). A report on the investigation is to be supplied to Council's Environment and Public Health unit.

At the completion of the investigation a site audit statement shall be issued by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.

**Reason:** To ensure that the land is left in a safe and healthy condition.

27. Underground tanks shall be decommissioned and removed by a duly qualified person in accordance with:

- (a) AS4976:2008 The Removal and disposal of underground petroleum storage tanks;

- (b) Australian Standard AS 1940:2017 The Storage and Handling of Flammable and Combustible Liquids.
- (c) SafeWork NSW Code of Practice for the Storage and Handling of Dangerous Goods.
- (d) NSW Department of Environment and Climate Change: Environmental Guidelines: Assessment, Classification and Management of Liquid and Non Liquid Wastes

**Reason:** To ensure the safe removal of underground storage tanks.

28. A covenant shall be registered on the title of the land and a copy of the title submitted to Council and the principal certifying authority prior to the issue of an occupation certificate, giving notice of the former use and contamination of the site and the existence of the encapsulated cells containing contaminated material.

**Reason:** To ensure that the encapsulated cell is not breached and to prevent the future occurrence of a health hazard and the spread of contamination.

29. A covenant shall be registered on the title of the land binding the owners and future owners to be responsible for ongoing maintenance and any future rehabilitation works required in terms of the encapsulated materials, including the discharge or prevention of discharge there from of any contaminants or for any works required by the Environment Protection Authority.

**Reason:** To ensure that the encapsulated cell is not breached and to prevent the future occurrence of a health hazard and the spread of contamination.

#### Environmental health – waste

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

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

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

31. All waste storage rooms/areas are to be fully screened from public view and are to be located clear of all landscaped areas, driveways, turning areas, truck standing areas and car parking spaces. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time.  
**Reason:** To maintain the amenity of the area.
32. 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.
33. 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.
34. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time.  
**Reason:** To maintain the amenity of the area.

Transport for NSW (TfNSW) including Roads and Maritime Services (RMS)

35. The applicant is advised that the usage/access to Grand Ave may be limited or restricted during construction of the Parramatta Light Rail Stage 1 Project. This restriction/ limitation may be in place until 2023.  
**Reason:** To ensure compliance with requirements of TfNSW.
36. The development shall be undertaken to comply with the following requirements of RMS:
- (a) All vehicles shall enter and exit the site in a forward direction.
  - (b) The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018.
  - (c) Consideration should also be given to providing bicycle parking facilities either within the development or close to it, in order to support and encourage active transport.



- (d) The proposed development will generate additional pedestrian movements in the area. Pedestrian safety is to be considered in the vicinity.
- (e) A Road Occupancy Licence (ROL) should be obtained from Transport Management Centre for any works that may impact on traffic flows on the surrounding state road network during construction activities. A ROL can be obtained through <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>

**Reason:** To ensure compliance with requirements of RMS.

### Sydney Water

37. The proposed development presents potentially large water servicing demands and as such, further investigation will be required to determine the servicing requirements for this site.
- It is recommended that a Water Servicing Coordinator is engaged as soon as possible, and a feasibility application is lodged with Sydney Water prior to a Section 73 application being made.
  - It is recommended that an inception meeting is held with Sydney Water after the proponent has prepared a detailed concept servicing proposal for potable water wastewater services and potentially recycled water services.

**Reason:** To ensure compliance with requirements of Sydney Water.

38. The proposed development is directly adjacent to the following critical trunk assets and consultation with Sydney Water is required to ensure that any potential impacts are eliminated:
- A 1500mm SCL potable water main on Grand Avenue and Colquhoun Street
  - A 1200mm SCL IBL potable water main on Grand Avenue and Colquhoun Street
  - A 1200mm CACL potable water main on Durham Street and Devon Street

Given the significance and size of these assets, strict technical requirements will apply. The proponent is advised to lodge a **Building Over and Adjacent – Out of Scope application** linked to the **feasibility application** to determine Sydney Water's full requirements for these assets.

This advice is not formal approval of our servicing requirements. Detailed requirements, including any potential extensions, amplifications and adjustments, will be provided once the development is referred to Sydney Water for a feasibility application and a Building Over and Adjacent – Out of Scope application. More information about the development process is available on our web page in the Land Development Manual.

## Endeavour Energy

39. The construction of any building or structure (including fencing, signage, flag poles, hoardings etc.) whether temporary or permanent that is connected to or in close proximity to Endeavour Energy's electrical network is required to comply with Australian/New Zealand Standard AS/NZS 3000:2018 'Electrical installations' as updated from time to time. This Standard sets out requirements for the design, construction and verification of electrical installations, including ensuring there is adequate connection to the earth. Inadequate connection to the earth to allow a leaking/fault current to flow into the grounding system and be properly dissipated places persons, equipment connected to the network and the electricity network itself at risk from electric shock, fire and physical injury.
40. With oil-filled equipment used in the substations there is the possibility of fires occurring. The appropriate selection, installation, maintenance and condition monitoring of the equipment must be used in substations to reduce the possibility of fires and their containment. Although the risk cannot be eliminated entirely, Endeavour Energy's aim is to reduce the residual risk of these potential hazardous events to 'As Low As Reasonably Practicable'.

Endeavour Energy has traditionally focused on the likelihood of its network starting a fire. However conversely Endeavour Energy believes that Councils (and applicants) should consider the safety risks associated with inappropriate development in proximity of electricity infrastructure that may result in damage to the network and the loss of electricity supply.

Endeavour Energy is aware that the provisions of State Environmental Planning Policy No 33— Hazardous and Offensive Development (SEPP33) that in regard to the preparation of a preliminary hazard assessment under SEPP33 that electricity infrastructure is not defined / regarded as sensitive land use.

However, in similar situations Endeavour Energy has sought further advice from the consultants preparing the preliminary hazard assessment on the basis that, although not a sensitive land use in the traditional /environmental sense, if the electricity infrastructure on or in proximity of the site is damaged, the resulting outage could leave thousands of properties / customers without power.

The consultants have been requested to specifically address the risks associated with the proximity of the electricity infrastructure i.e. detail design considerations, technical or operational controls etc. to demonstrate as required by SEPP33 that the proposed business / development is

suitably located and can be built and operated with an adequate level of safety and pollution control.

This equally applies to customer owned substations as is likely to be the case on this site e.g. the risk of locating the 'Future Substation Subject to Separate DA' with flammable transformer oil near the fuel pump room and fuel tank areas needs to be fully assessed.

41. The planting of large trees in the vicinity of electricity infrastructure is not supported by Endeavour Energy. Suitable planting needs to be undertaken in proximity of electricity infrastructure (including any new electricity infrastructure required to facilitate the proposed development). Only low growing shrubs not exceeding 3.0 metres in height, ground covers and smaller shrubs, with non-invasive root systems are the best plants to use. Larger trees should be planted well away from electricity infrastructure (at least the same distance from overhead power lines as their potential full grown height) and even with underground cables, be installed with a root barrier around the root ball of the plant.

Landscaping that interferes with electricity infrastructure may become a potential safety risk, cause of bush fire, restrict access, reduce light levels from streetlights or result in the interruption of supply. Such landscaping may be subject to Endeavour Energy's Vegetation Management program and/or the provisions of the Electricity Supply Act 1995 (NSW) Section 48 'Interference with electricity works by trees' by which under certain circumstances the cost of carrying out such work may be recovered.

42. Before commencing any underground activity the applicant is required to obtain advice from the Dial Before You Dig 1100 service in accordance with the requirements of the Electricity Supply Act 1995 (NSW) and associated Regulations. This should be obtained by the applicant not only to identify the location of any underground electrical and other utility infrastructure across the site, but also to identify them as a hazard and to properly assess the risk.
43. Endeavour Energy's G/Net master facility model indicates that the site is in an area identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network. Whilst Endeavour Energy's underground detail is not complete within G/Net in some areas, in older communities, cement piping was regularly used for the electricity distribution system and in some instances containing asbestos to strengthen the pipe; for insulation; lightness and cost saving.

When undertaking works on or in the vicinity of Endeavour Energy's electricity network, asbestos or ACM must be identified by a competent person employed by or contracted to the applicant and an asbestos

management plan, including its proper disposal, is required whenever construction works has the potential to impact asbestos or ACM.

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

- customer meter boards;
- conduits in ground;
- padmount substation culvert end panels; and
- joint connection boxes and connection pits.

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

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

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

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

45. In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note the Emergencies Telephone is 131 003 which can be contacted 24 hours/7 days. Endeavour Energy's contact details should be included in any relevant risk and safety management plan.
- 45A. ***The owner must contact Endeavour Energy's Customer Network Solutions Branch (previously Network Connections Branch) (via Head Office enquiries on business days from 9am - 4:30pm on telephone: 133 718 or (02) 9853 6666) who are responsible for managing the***

**conditions of supply with the proponent and their Accredited Service Provider (ASP) if any of the following is to occur on site:**

- ***Includes any contestable works projects that are outside of any existing approved / certified works.***
- ***Results in an electricity load that is outside of any existing Supply / Connection Offer requiring the incorporation of the additional load for consideration.***

**Condition added by DA/751/2019/C.**

## **PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE**

### Planning

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

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

47. A monetary contribution comprising \$492,428.50 is payable to the City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the City of Parramatta Section 94A Development Contributions Plan (Amendment 5). Payment must be by EFTPOS, bank cheque or credit card only.

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

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

City of Parramatta Section 94A Development Contributions Plan (Amendment 5) can be viewed on Council's website at:

<https://www.cityofparramatta.nsw.gov.au/business-development/planning/development-contributions>

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

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

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

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

49. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of each Construction Certificate. The fee will be in accordance with Councils adopted 'Fees and Charges' at the time of payment.

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

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

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/751/2019;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

Bond Type	Amount
Development site bond	\$25,750.00
Street trees	\$2,060.00

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to the City of

Parramatta Council ([council@cityofparramatta.nsw.gov.au](mailto:council@cityofparramatta.nsw.gov.au)) with the payment of the bond/s.

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

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

51. External materials must be pre-colour coated on manufacture having a low glare and reflectivity finish. The reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

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

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

- (a) Acoustic Report, prepared by Arup, job no. 272253, issue 3, dated 25 March 2020;
- (b) Construction and Demolition Waste Management Plan, prepared by Elephants Foot, revision D, dated 31 March 2020;
- (c) Operational Waste Management Plan, prepared by Elephants Foot, revision G, dated 31 March 2020;
- (d) Sustainability Assessment Report, prepared by Building Services Engineers, report no. 20190878, revision 3, dated 8 May 2020;
- (e) Traffic Impact Assessment, prepared by PTC, revision 4, dated 27 March 2020;
- (f) Building Code of Australia assessment report, prepared by City Plan, report no. 190380, revision 2, dated 17 December 2019;
- (g) Access Certification, prepared by Obvius Access Consultants, dated 18 December 2019;
- (h) Crime Prevention through Environmental design report, prepared by Mecone, revision 1, dated 16 December 2019
- (i) Remediation Action Plan, prepared by Edison Environmental & Engineering Pty Ltd, report no. E17012-BIL-03-RAP, revision 1, dated 22 March 2020;
- (j) Addendum to Final Remediation Action Plan, prepared by Douglas Partners, reference no. 99509.01 R.002, revision 1, dated 7 April 2020.

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

53. All outdoor lighting must comply with the relevant provisions of AS/NZS1158.3.1:2020 Lighting for roads and public spaces Pedestrian

Area (Category P) Lighting – Performance and design requirements and AS/NZS 4282:2019 Control of the obtrusive effects of outdoor lighting.

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

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

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

Substations are not permitted within the front setback of the site; unless existing or such a location has been outlined and approved on the Council stamped Development Application plans or the substation is temporary in nature. Any temporary substations required within the front setback of the site or within any street elevation shall not remain for a period longer than 24 months following any occupation certificate being issued, unless written approval is received from Council's Group Manager Development and Traffic Services Unit (DTSU). Substations are not permitted within Council's road reserve.

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

55. Cigarette butt receptacles must be provided during the construction stage of the development. The receptacles are to be placed adjacent to designated break room/ area of the site. Details of the receptacles must be included within the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

**Reason:** To ensure that adequate provision is made for the disposal of cigarette butts to prevent littering of the public domain.

56. 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.

57. A noise management plan must be submitted to Council for approval prior to any work commencing and complied with during any construction works.



The plan must be prepared by a suitably qualified person, who possesses qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

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

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

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

### Traffic

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

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

59. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6. A total of 105 parking spaces is to be provided and be allocated as follows:

- (a) 105 spaces for the staff and visitors including two (2) spaces as accessible parking.

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

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

60. 16 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS2890.3-2015. Details are to be illustrated on plans submitted with the relevant construction certificate.  
**Reason:** To comply with Council's parking requirements.
61. End of trip facilities including showers must be provided within the development and made accessible without charge to cyclists who work in the building. Details must be provided with the plans and specifications accompanying the application for the relevant Construction Certificate.  
**Reason:** To promote and provide facilities for alternative forms of transport.
62. Sight lines at the property line are to be provided in accordance with the minimum requirements specified in Figure 3.3 of AS 2890.1-2004 (a splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway) on both sides of the access driveway. This splay shall not to be compromised by obstructions greater than 900mm in height such as landscaping, signage fences, walls or any display materials.  
**Reason:** To ensure pedestrians safety
63. Eight (8) motorcycle spaces are to be provided on-site and used accordingly. The dimensions of the motorcycle spaces are to comply with Clause 2.4.7 and Figure 2.7 of AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.  
**Reason:** To comply with Council's parking requirements

### Engineering

64. All roof water and surface water is to be connected to an operable drainage system. Details are to be shown on the plans and documentation accompanying the application for the relevant Construction Certificate.  
**Reason:** To ensure satisfactory stormwater disposal.
65. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600mm in height or within 900mm of any property boundary.  
The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated, then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior commencement of the works.

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

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

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

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

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

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

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

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

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

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

68. 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 events up to the Probable Maximum Flood (PMF).

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

69. Construction of a concrete vehicle access-way, for the full length of the proposed battle axe handle/right of carriageway, to be in accordance with Parramatta City Council's Standard Plan number DS44.

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 provide appropriate access.

70. 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.

71. 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.

72. 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.

73. Updated stormwater plans are required to be approved by Council's Group Manager Development and Traffic Services Unit (DTSU) prior to submission to the certifying authority for approval and must address the implementation of PDCP 2011, in particular WSUD and clauses under 3.3.6, and the substantial use of rainwater in the development's operation.

74. A 'Shelter in Place' refuge must be provided for all occupants of the building to take refuge in during a severe flood event. The refuge must be of suitable size and be properly equipped for all occupants. It must be located above

the PMF flood level of RL 7.8m AHD. The shelter in place facility must include bathroom and drinking water facilities, food, first aid and communications.

#### Environmental health – Waste

75. An Erosion and Sedimentation plan is to be provided that details the location of silt fences, protection of existing stormwater drains and prevention measures that are proposed to ensure that soil remains on the site during the construction phase. These are to be shown on the architectural plans. A copy of these must be provided to Council.

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

#### Sustainability

76. Prior to the issue of the relevant construction certificate, the following must be demonstrated to the satisfaction of the certifying authority:

- (a) The building has been designed and will be constructed to operate at a minimum NABERS Energy for Data Centres (infrastructure) rating of 4.5 stars without accounting for any Green Power used in the building and a corresponding Commitment Agreement be entered into with NSW Office of Environment and Heritage.
- (b) Solar photovoltaic generation must be installed on site to an equivalent area of not less than 2,400sqm.
- (c) A dual reticulation (dual pipe) system is to be installed, with the dual reticulation system being of sufficient size to supply all non-drinking water uses of the building, including cooling towers, and suitable for future connection to a recycled water main.
- (d) The building is to capture rainwater and provide sufficient storage for reuse of no less than 95% of the typical annual rainfall falling on the building's roof for non-drinking water uses through the dual reticulation system.
- (e) All PVC installed is to be provided in line with industry best practice guidance, and alternatives to PVC will be used for the following aspects of the development:
  - a. Above-ground stormwater pipework; and
  - b. All vinyl floor coverings associated with the development.
- (f) 95% of all timber that is used on the project is to be FSC Certified under the Forest Stewardship Council certification system.
- (g) Water efficient fixtures and fittings must be used throughout. Minimum WELS rating of 4 star for toilets, 6 star for urinals, 6 star for tapware and 3 star (less than 7.5 l/min) for showers are required.
- (h) LED lighting must be provided throughout the building and externally lit area.
- (i) Where surfaces on roof tops are not used for the purposes of private or public open space, for solar panels, or for heat reject plant, the

materials used must have a minimum solar reflectivity index (SRI) of 82 if a horizontal surface or a minimum SRI of 39 for sloped surfaces greater than 15 degrees.

- (j) Provide no less than 6 number shared EV charging connections each with a minimum Level 2 32A/22kW fast charger and Power Supply to a car parking space.

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

#### Transport for NSW (TfNSW) including Roads and Maritime Services (RMS)

77. A Construction Pedestrian Traffic Management Plan (CPTMP) should be submitted in consultation with the TfNSW Sydney Coordination Office (SCO) and City of Parramatta Council, prior to the issue of a Construction Certificate.

Usage/access to Grand Ave may be limited or restricted during the construction of the PLR Stage 1 Project. The CPTMP needs to include, but not be limited to, the following:

- Construction vehicle routes,
- Number of trucks,
- Hours of operation,
- Access arrangements and traffic control,
- Taking into consideration the cumulative traffic impacts of other developments in the area.

**Reason:** to ensure compliance with requirements of TfNSW.

## **PRIOR TO WORKS COMMENCING**

#### Planning and standard conditions

78. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate(s) approval must:

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

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

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

79. 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.

80. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98A(2) of the Environmental Planning and Assessment Regulations 2000 detailing:
- (a) Unauthorised entry of the work site is prohibited;
  - (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
  - (c) The name, address and telephone number of the principal certifying authority;
  - (d) The development consent approved construction hours;
  - (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.

**Reason:** Statutory requirement.

81. Public risk insurance in the amount of not less than \$20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:
- (a) Above;
  - (b) Below; or
  - (c) On

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

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

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

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

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

82. Prior to the commencement of work, a registered surveyor is to undertake a set out survey to identify the location of all footings, slabs, posts and walls adjacent to a boundary. This is to ensure the development when complete, will be constructed wholly within the confines of the subject allotment, and will be consistent with boundary setbacks as shown on the approved plans. This set out survey showing the location of the development relative to the

boundaries of the site, is to be forwarded to the Principal Certifying Authority prior to pouring of any footings or slabs and/or the construction of any walls/posts.

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

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

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

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

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

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

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

### Engineering

85. Prior to the commencement of any works on site, the applicant must submit a Construction and Traffic Management Plan to the satisfaction of the



Principle Certifying Authority. The following matters must be specifically addressed in the Plan:

- (a) Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:
  - (i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
  - (ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
  - (iii) The locations of proposed Work Zones in the egress frontage roadways,
  - (iv) Location of any proposed crane standing areas,
  - (v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
  - (vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
  - (vii) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
  - (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
  - (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Works Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.
- (c) Traffic Control Plan(s) for the site:
  - (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
  - (ii) Approval shall be obtained from City of Parramatta Council for any temporary road closures or crane use from public property.
- (d) Where applicable, the plan must address the following:

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

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

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

86. 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.

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

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

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

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

**Reason:** Management of records.

88. 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.

89. 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.

90. 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.

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

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

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

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

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

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

### Environmental health – Contamination

- 92. 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.

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

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

## DURING WORKS

### Planning and standard conditions

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

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

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

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

96. 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.

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

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

Demolition works are restricted to:

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

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

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

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

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

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

99. 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 the prescribed vibration limits outlined in table 12 of the Acoustic Report, prepared by Arup, job no. 272253, issue 3, dated 25 March 2020.

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

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

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

### Traffic

101. 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.

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

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

### Engineering

103. 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.

104. 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.

105. 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.

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

**Reason:** To ensure pedestrian safety.

107. 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.

Environmental health – contamination and waste

108. 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.

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

110. 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 EPA NSW Environment Protection Authority (EPA) Waste Classification Guidelines' and any other regulatory instrument as amended.  
**Reason:** To ensure appropriate disposal of asbestos materials.

111. 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.

112. 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.

113. 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.

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

**Reason:** To prevent pollution of waterways.

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

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

#### Landscaping

116. All trees planted as required by the approved landscape plans are to be minimum 45 litre container size. All shrubs planted as part of the approved landscape plans are to have a minimum 200mm container size.

**Reason:** To ensure appropriate landscaping.

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

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

## **PRIOR TO THE ISSUE OF OCCUPATION CERTIFICATE**

### Planning and standard conditions

118. Occupation or use of the building or part is not permitted until Occupation Certificate(s) have been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A copy of this report is to be forwarded to Council electronically at [council@cityofparramatta.nsw.gov.au](mailto:council@cityofparramatta.nsw.gov.au).

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

124. Prior to the issue of an occupation certificate(s) (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and the City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:
- (a) Acoustic Report, prepared by Arup, job no. 272253, issue 3, dated 25 March 2020;
  - (b) Construction and Demolition Waste Management Plan, prepared by Elephants Foot, revision D, dated 31 March 2020;
  - (c) Operational Waste Management Plan, prepared by Elephants Foot, revision G, dated 31 March 2020;
  - (d) Sustainability Assessment Report, prepared by Building Services Engineers, report no. 20190878, revision 3, dated 8 May 2020;
  - (e) Traffic Impact Assessment, prepared by PTC, revision 4, dated 27 March 2020;
  - (f) Building Code of Australia assessment report, prepared by City Plan, report no. 190380, revision 2, dated 17 December 2019;
  - (g) Access Certification, prepared by Obvius Access Consultants, dated 18 December 2019;
  - (h) Crime Prevention through Environmental design report, prepared by Mecone, revision 1, dated 16 December 2019
  - (i) Remediation Action Plan, prepared by Edison Environmental & Engineering Pty Ltd, report no. E17012-BIL-03-RAP, revision 1, dated 22 March 2020;
  - (j) Addendum to Final Remediation Action Plan, prepared by Douglas Partners, reference no. 99509.01 R.002, revision 1, dated 7 April 2020.

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

### Engineering

125. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Occupation Certificate. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s

web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” icon or telephone 13 20 92.

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

126. 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.

127. 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.

128. All of the Stage 2 site area must be landscaped and/or stabilised to Council's reasonable satisfaction prior to occupation of Stage 1 and until such time as Stage 2 construction commences.

#### Environmental health – acoustic

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

- Acoustic Report, prepared by Arup, job no. 272253, issue 3, dated 25 March 2020;

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

### Landscaping

130. 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.

## **THE USE OF THE SITE**

### Planning and standard conditions

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

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

132. One year from the issue of the Occupation Certificate, and every year for 3 years thereafter, the applicant shall submit to Council's Group Manager Development and Traffic Services Unit (DTSU) a review of the effectiveness of the Green Travel Plan. The reviews shall include surveys of modal share and vehicle trip generation for the various land uses within the development during peak and off-peak periods. The review shall also include recommendations for improving the effectiveness of the plan. Any recommendations made to improve the effectiveness of the plan shall be incorporated into an updated Green Travel Plan.

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

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

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

134. All loading and unloading must:

- (a) take place within the designated loading areas on the subject property, or
- (b) take place within the approved loading dock to minimise disruption of public spaces, and
- (c) is to be carried out wholly within the site

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

135. Security personnel licensed under the Security Industry Act 1997 shall be engaged by the licensee to patrol the area to ensure that patrons do not cause nuisance, or annoyance to the quietly and good order of the neighbourhood.

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

136. 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

137. There are to be no external speakers at the premises.

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

138. The owner/manager of the site is responsible for the removal of all graffiti at the site within 48 hours of its application.

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

#### Environmental health

139. All Dangerous Goods shall be stored in accordance with:

- (a) AS 1940-2017 – The Storage and Handling of Flammable and Combustible Liquids and
- (b) Work Health and Safety Act 2011
- (c) Managing risks of hazardous chemicals in the workplace Code of Practice 2018

**Reason:** To ensure that the dangerous goods are correctly contained.

140. All aboveground storages of hazardous materials, oils and chemicals are to be bunded. The bund is to be made of any impervious material and should be roofed or of double-wall construction and large enough to hold the contents of the largest container plus 10%. If not roofed and in an area where rainwater may collect in the bund, then measures must be put in place to regularly dispose of this waste water appropriately (not directed to stormwater) so to not reduce the storage capacity of the bund.

**Reason:** To ensure that hazardous materials are correctly contained.

141. To ensure correct handling of hazardous materials, Safety Data Sheets (SDS) must be held at the facility for all hazardous materials. These can be obtained free of charge from the supplier.

**Reason:** To ensure compliance with the Work Health & Safety Act 2011 & Regulations.

#### Environmental health – waste

142. 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.

143. 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.

144. 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

#### Environmental health – acoustic

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

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

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

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

**Reason:** To reduce noise levels.

#### Landscaping and tree management

147. All landscape works shall be maintained for a minimum period of two (2) years following the issue of a final Occupation Certificate, in accordance with the approved landscape plan and conditions.

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

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**Date:** 9 June 2022  
**Responsible Officer:** Atef Kazi