



Report to Sydney Central City Planning Panel

SWCCP reference	PPSSCC-393
DA No.	DA/747/2022
Date of receipt	19 September 2022
Proposal	Construction of two residential flat buildings, Building C and Building F, as per the Part 3A Concept Plan approval - MP09_0160 MOD4. The development consists of 157 apartments and the provision of a community facility at the ground floor level. The application will be determined by the Sydney Central City Planning Panel.
Street address	Lot 14 DP 271179 Bennelong Parkway, Wentworth Point
Property Description	Lot 14 DP 271179
Applicant	Piety Group
Owner	Wentworth Point 1 Pty Ltd
Submissions	One (1)
Conciliation Conference Held	Not Required
List of All Relevant s4.15(1)(a) Matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act and Regulations 2021• State Environmental Planning Policy (Precincts – Central River City) 2021• State environmental Planning Policy (BASIX) 2004• State Environmental Planning Policy (Resilience and Hazards) 2021• State Environmental Planning Policy (Transport and Infrastructure) 2021• Homebush Bay West Development Control Plan 2004• City of Parramatta Council (Outside CBD) Development Contributions Plan 2021 (Amendment 1)
Recommendation	Approval
Council Officer	Darren Wan

Summary of Section 4.15 matters

Have all recommendations in relation to relevant Section 4.15 matters been summarised in the Executive Summary of the assessment report? Yes

Legislative clauses requiring consent authority satisfaction

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

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard has been received, has it been attached to the assessment report? N/A

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions? No

Conditions

Have draft conditions been provided to the applicant for comment? Yes

1. EXECUTIVE SUMMARY

This report considers a proposal for a development at Bennelong Parkway, Wentworth Point, comprising 'Construction of two residential flat buildings, Building C and Building F, as per the Part 3A Concept Plan approval - MP09_0160 MOD4. The development consists of 157 apartments and the provision of a community facility at the ground floor level'.

It is of note that the site is subject to State Environmental Planning Policy (Precincts – Central River City) 2021 and the Homebush Bay West Development Control Plan 2004. The site is also part of a larger Concept Masterplan approved by the Department of Planning comprising a total of 9 buildings. The two buildings subject to this application (Building C and Building F) are the final two to be developed as part of the plan.

The concept plan envisaged that the site would provide a total of 649 dwellings within the prescribed maximum floor space of 47,487m². This development application takes the total number of dwellings to 622, taking the maximum floor space to 47,480.6m², and complies with the Concept Plan.

The amenity impacts on adjoining and nearby properties are considered reasonable based on the bulk of these issues being assessed at the Concept Plan stage. One (1) submission was received during the advertising period, raising the following issues:

- Lack of Infrastructure.
- Traffic.
- Flooding.

Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any fundamental issues of concern. The application is therefore satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.

This report recommends that the Panel:

- Approve the application, subject to the recommended conditions.

2. KEY ISSUES

- Non-applicable.

3. SITE CONTEXT



Figure 1: Aerial photograph of subject site and surrounds (Nearmap)

4. SITE DESCRIPTION AND LOCATION

The site is located at the entrance to Wentworth Point and is situated on the north eastern corner of the Hill Road intersection with Bennelong Parkway. The site comprises a curved frontage to this intersection (approximately 278m to Bennelong Parkway). The combined site has an area of 25,570m².

The site is adjoined by high density residential flat buildings. Within the wider locality, there is a ferry terminal with access from Burroway Road. To the north there has been significant redevelopment over the past decade where a transition has occurred from industrial uses to high density living. The site is opposite land under the ownership and control of the Sydney Olympic Park Authority (SOPA). This land contains a park and wetlands (Nuwi Wetlands) within close proximity to the proposed development.



Figure 2: Zoning map (ePlanning Spatial Viewer)

5. THE PROPOSAL


This development application seeks approval for the construction of buildings C and F as follows:

- Two buildings 15 storey buildings with a total floor space of 13,441.6m²
- A total of 157 dwellings comprising: – 37 one-bedroom apartments (24%) – 67 two-bedroom apartments (43%) – 53 three-bedroom apartments (34%).
- 111m² communal facility at the ground level of building C adjacent to main lobby with frontage to Bennelong Parkway
- Landscaping and embellishment of the front setback, communal courtyard and private open space
- Provision of car parking and servicing within already constructed basements.

The development would take the total floor space across the site to 47,480.6m² and a total of 622 dwellings. The total yield would be less than the 47,487m² approved under the Concept Plan and the indicative 649 apartments referenced in the Concept Plan approval.

6. RELEVANT BACKGROUND

The Wentworth Point area is an area undergoing significant redevelopment. Much of the peninsular is reclaimed land historically used for industrial uses. The 1999 Homebush Bay Development Control Plan established a broad direction for the urban structure and design controls which identified the site as suitable for residential and commercial uses. After the staging of the Olympic Games during September and October 2000, the Department of Planning reviewed the plan to secure the long-term viability of the locality. The Homebush Bay West Development Control Plan 2004 was adopted. This DCP sets up precincts for development. The subject site is the last remaining undeveloped site within Precinct F.

Major Project MP09_0160 (Department of Planning)	<p>The concept plan (MP 09_0160) was approved by the Minister for Planning covering the entire Lot 3 (forming part of the remaining Precinct F) on June 2010 to permit residential development comprising of 3 separate buildings A-C over a single podium with basement levels encompassing a maximum floor area of 44,730m². The approval includes provisions for indicative building envelopes with maximum building heights, public domain and landscaping works and a neighbourhood park and pedestrian link with a minimum area of 6,060m². The approval for the site generally relies on vehicular access being provided on Amalfi Drive via The Piazza. The concept plan has been modified (Modification 2) which approved an increased height, density and car parking on the site - approved by the Department of Planning in July 2013. Consequently, the maximum GFA permitted for the site was amended to 50,045m² for the entire Lot 3.</p>  <p style="text-align: center;">Concept Plan General Site Layout</p>
DA-48/2012 (Auburn Council)	The demolition and decommissioning fuel storage facility and backfill of the land and remediation was approved by Auburn City Council on 23 April 2012.
DA-201/2015	The demolition of the building and above ground structures was approved by Auburn City Council on 6 July 2015.
DA-329/2015 (Auburn Council)	Stage 1 development - demolition and construction of five residential buildings containing 273 apartments, above 3 levels of basement parking including provision of a new public road and park. Integrated Development (Water Management Act 2000 - CIV \$117,979,000 (Auburn DA/329/2015). Approved by the Sydney West JRPP on 21 July 2016.
DA/667/2016/A (City of Parramatta Council)	Section 96(2) Modification to the approved Stage 1 redevelopment of the site including the construction of five residential buildings and the provision of a new public road and park. The modifications include changes to the unit mix, bicycle parking, reduction in the basement size under Building A, changes to the basement configuration, internal changes to the buildings, changes to the loading dock and services of Building B and an increase in deep soil. Approved by SCCPP on 3 May 2018.
DA/667/2016/B (City of Parramatta Council)	Section 96(1A) modification to the approved Stage 1 redevelopment of the site including the construction of five residential buildings and the provision of a new public road and park. The modifications include changes to the car space dimensions and stormwater requirements. Approved under delegated authority on 1 December 2016.
DA/759/2016 (City of Parramatta Council)	Construction of two (2) x six (6) storey residential flat buildings containing 150 dwellings over three (3) levels of basement car parking (Stage 2). The proposal is Nominated Integrated Development under the Water Management Act 2000. Approved by SCCPP on 3 May 2018
DA/338/2018 (City of Parramatta Council)	To carry out alterations to approved Levels 5 and 6 and construct an additional 1-2 storeys (incorporating an additional 42 apartments) on Buildings H and J and provide for additional car parking within the basement. Approved by PLPP on 18 September 2018.

Major Project MP 09_0160 MOD 4	<p>This modification to the Concept Plan consisted of the following:</p> <ul style="list-style-type: none"> • Amendment of the building envelopes • Increased height of Building C and F from 9 to 15 storeys • Reduced the floor space to 47,487m² across the site as defined under Homebush Bay West Development Control Plan 2004 • Increased indicative apartment numbers by 8 (to a total of 649 apartments) • Provision of 100m² of communal floor space across Buildings C and F. <p>This modification application was approved by the Department of Planning and Environment (DPE) on 22 December 2020.</p>
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Development approval has previously been granted for construction of 465 dwellings across three stages as outlined in Table 1 below. The approved buildings are now completed. Bay Park and the extension of Amalfi Drive, which formed part of the development, have also been completed on the eastern side of the site. Considering the already approved floor space associated within the completed stages, there is 13,448m² of remaining floor space potential under the Concept Plan approval.

Stage / DA	Buildings	Floor space (sqm)
Stage 1 (DA/329/2015 and DA/667/2016/A)	A, B, D, E&G	19,139
Stage 2A (DA/759/2016)	H&J	11,477
Stage 3B (DA/338/2018)	H& J (reconfiguration / 2 additional levels)	3,423
Concept Plan approved floor space		47,487
Total DA approved floor space		34,039
Remaining floor space potential under Concept Plan approval		13,448

Table 1: History of Applications and Approvals

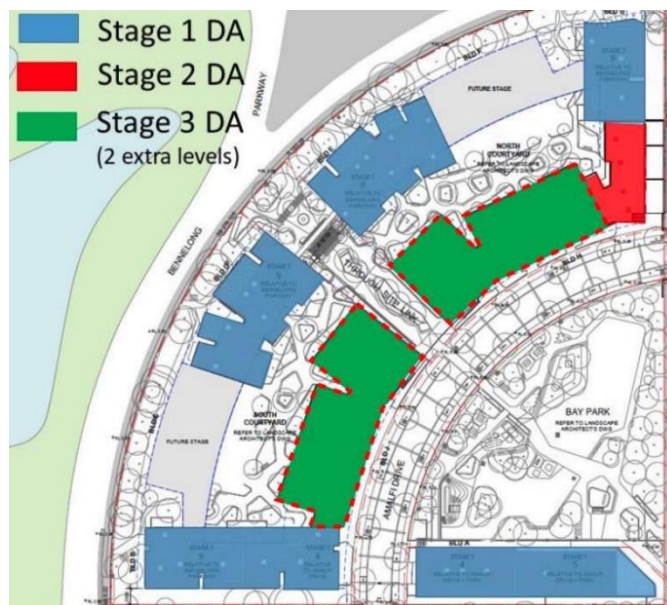


Figure 3: Approved Development



Figure 4: Subject Site showing building locations

7. PUBLIC NOTIFICATION

The notification period was between 29 September 2022 and 21 October 2022 in accordance with Council's Notification Procedures. 1 submission was received during the notification period. The submission raised the following concerns:

- Lack of infrastructure.
- Traffic.
- Flooding.

8. REFERRALS

Any matters arising from internal/external referrals not dealt with by conditions	No
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8. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

Does Section 1.7 (Significant effect on threatened species) apply?	No
Does Section 4.10 (Designated Development) apply?	No
Does Section 4.46 (Integrated Development) apply?	No
Are submission requirements within the Regulations satisfied?	Yes

9. CONSIDERATION OF SEPPS

Key issues arising from evaluation against SEPPs	None - A detailed assessment is provided at Attachment A .
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10. COMPLIANCE WITH CONCEPT PLAN

The following table is a summary assessment against the concept plan approved and modified by the Department of Planning and Environment on 22nd December 2020. A detailed evaluation is provided at **Attachment A**.

Concept Plan Section	Comment or Non-Compliance
Maximum Height –15 storeys	Consistent
Maximum Gross Floor Area – 47,487m ²	Consistent
Minimum Public Open Space – 6,060m ²	Consistent
Building Footprint	Variations proposed but acceptable
Solar Access Min. 70% of apartments receive 2 hours of solar access	Consistent
A max. of 15% of units receive no direct sunlight.	
Indoor Communal Space – 100m ²	Consistent

11. HOMEBUSH BAY WEST DEVELOPMENT CONTROL PLAN

The majority of controls for this proposal are contained within the ADG or the approved Concept Plan for the site. Only the relevant controls contained within the HBWDGP have been discussed below:

4.1.7 – Wind	Consistent
4.1.8 – Geotechnical Suitability and Contamination	Consistent
4.2.1 – Crime Prevention	Consistent
4.3.1 – Building Entry	Consistent
4.3.2 – Parking	Consistent
4.3.3 – Pedestrian Access	Consistent
4.3.4 – Vehicular Access	Consistent
4.4.5 – Flexibility	Consistent
4.5.1 – Acoustic Amenity	Consistent
4.7.2 – Maintenance	Consistent
4.7.3 – Waste Management	Consistent

12. RESPONSE TO SCCPP BRIEFING MINUTES

The Panel was briefed on 13 October 2022. No matters were raised by the applicant, Council, or the Panel during the kick-off briefing.

13. CONCLUSION

Assessment of the application against the relevant planning framework and consideration of matters by Council's technical departments has not identified any fundamental issues of concern. The application is therefore satisfactory when evaluated against Section 4.15 of the Environmental Planning and Assessment Act 1979.

14. RECOMMENDATION

- A. That pursuant to Section 4.17 of the Environmental Planning and Assessment Act, 1979 the Sydney Central City Planning Panel grant consent to Development Application DA/747/2022 subject to the conditions in **Attachment B**.



ATTACHMENT A – PLANNING ASSESSMENT

SWCCP reference
DA No.

SSCC-393
DA/747/2022

1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (EPA ACT)

Concept Development Application

A concept development application has been approved for the site (MP09_0160). The original concept plan was approved in June 2010, and subsequently modified in July 2013 and again in December 2020. That application provided concept approval for building locations and envelopes on blocks A-D, including heights, setbacks, parking, new roads, and landscaping.

Division 4.4 of the EPA Act relates to the special procedures concerning concept development applications. In this regard, Section 4.24(2) requires the following:

(2) While any consent granted on the determination of a concept development application for a site remains in force, the determination of any further development application in respect of the site cannot be inconsistent with the consent for the concept proposals for the development of the site.

The proposed development is not inconsistent with the approved concept development application as shown in the table below.

CONCEPT PLAN

Parameter / Design Criteria	Proposal	Complies
Maximum Height –15 storeys	Both buildings have a height of 15 storeys	Yes
Maximum Gross Floor Area – 47,487m ²	Both buildings combine to bring the total GFA across the concept plan area to 47,480.6m ² .	Yes
Minimum Public Open Space – 6,060m ²	N/A - This has already been provided under previous applications.	Yes
Building Depth – maximum 22-23m	The general building depth of both Building C and F range from 21-23m.	Yes
Design Excellence Strategy	The development plans were reviewed by DEAP who gave the development a green light.	Yes
Solar Access Min. 70% of apartments receive 2 hours of solar access to living rooms and POS b/w 9am and 3pm, midwinter A max. of 15% of units receive no direct sunlight.	Compliant Compliant	Yes Yes
Indoor Communal Space – 100m ²	Indoor communal space located on Level 1 of Building C is 111m ² .	Yes
Privacy	Building C adjoins the existing Buildings B and D. Building F adjoins existing Buildings E and G. Privacy is maintained through general compliance with building separation, privacy screening and orientation of private open space on the upper levels.	Yes
Architectural Quality	As stated above, the architectural design of the development was supported by DEAP.	Yes
Development Documentation Application	The various consultant reports required to be submitted with the application have been reviewed and considered to be acceptable.	Yes

2. ENVIRONMENTAL PLANNING INSTRUMENTS

Compliance with the relevant instruments is addressed below:

STATE ENVIRONMENTAL PLANNING POLICY (PRECINCTS – CENTRAL RIVER CITY) 2021 – CHAPTER 4: HOMEBUSH BAY AREA

Permissibility

Clause 4.9(b) of the SEPP outlines that ‘the following development may be carried out, but only with development consent...development for the purposes of a building, work, place or land use specified in Schedule 8 in relation to the land concerned’.

In that regard, the proposed development involves the construction of residential flat buildings on a site identified for high density residential development. In that regard, the proposed development is considered appropriate for the subject site.

Matters for Consideration

Clause 4.11 outlines the following matters to be considered under this SEPP:

a) Any relevant master plan prepared for Homebush Bay Area	There provisions of the Concept Plan prepared for this site has been discussed in following sections of this report.
b) Any development control plans prepared for the Homebush Bay Area	The relevant provisions of Homebush Bay West DCP 2004 has been discussed in following sections of this report.
c) To the extent to which it applies to land within the Sydney Olympic Park, the ‘Environmental Guidelines’ within the meaning of the Sydney Olympic Park Act 2001 and any plans of management referred to in section 34 of the Act,	The subject site is located outside of the Sydney Olympic Park Land Application map.
d) The appearance, from the waterway and the foreshores, of the development	The proposed development is generally compliant with the desired building envelope envisioned by the approved Concept Plan and is considered to have a satisfactory presentation to the waterway and foreshore.
e) The impact of the development on significant views	The bulk of the building is consistent with the GFA and building height limit set by the Concept Plan and is not considered to impact on any significant views.
f) The effect of the development on drainage patterns, ground water, flood patterns and wetland viability	The stormwater discharge from the development will be incorporated into the larger stormwater system originally approved under the Concept Plan and subsequent stages of the development. Suitable conditions of consent have been imposed to ensure minimal impact to surrounding wetlands.
g) The extent to which the development encompasses the principles of ecologically sustainable development	The application was accompanied with an ESD technical report and will meet the ESD commitments outlined in the Concept Plan.
h) The impact of carrying out the development on heritage items, heritage conservation areas and potential historical archaeological sites	The subject site is not identified as being of heritage significance, nor is it identified as being a conservation area.
i) The views of the public and other authorities which have been consulted by the consent authority	Submissions and referrals have been discussed in the following sections of this report.
j) The issues listed in Schedule 7	The proposed development is not for a major public facility, nor is it within a environmental conservation area.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 2: COASTAL MANAGEMENT

The site is affected by the following sections under the Chapter 2 – Coastal Management:

- Proximity Area for Coastal Wetlands (Clause 2.8).

The stormwater discharge from the development has been assessed by Council's Development Engineer who raised no objections, subject to the imposition of conditions of consent.

The stormwater discharge will be incorporated into the larger system already approved under the Concept Plan and previous stages. Similarly, the sediment and erosion control measures have also been assessed and relevant conditions of consent imposed.

In that regard, the requirements of Clause 2.8 are considered to be satisfied, as the development will not significantly impact on:

- The biophysical, hydrological or ecological integrity of the adjacent coastal wetland; and
- The quantity and quality of surface and groundwater flows to and from the adjacent coastal wetland.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 4: REMEDIATION OF LAND

The site was previously assessed as being contaminated, with prior development applications implementing a Remediation Action Plan that has already been carried out. Following the remediation, the shared basement has been constructed and is operational.

The proposed development does not propose any additional excavation on the site. In that regard, no further assessment is considered to be necessary, and the development satisfies Clause 4.6 of the SEPP.

STATE ENVIRONMENTAL PLANNING POLICY (BASIX) 2004

The application for the residential development has been accompanied with a BASIX certificate that lists the commitments by the applicant as to the manner in which the development will be carried out. The requirements outlined in the BASIX certificates have been satisfied in the design of the proposal.

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 2: VEGETATION IN NON-RURAL AREAS

The application has been assessed against the requirements of State Environmental Planning Policy (Biodiversity and Conservation) 2021. This Policy seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

The proposal seeks to remove 4 trees due to proximity to the development. The application was referred to Council's Landscape Officer who raised no objection to the tree removal, subject to the imposition of conditions of consent.

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021 – CHAPTER 6: WATER CATCHMENTS

This policy applies to all of the City of Parramatta local government area. It aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing principles and controls for the whole catchment.

The nature of this project and the location of the site are such that there are no specific controls which directly apply, with the exception of the objective of improved water quality. That outcome will be achieved through the imposition of suitable conditions to address the collection and discharge of water.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021 – CHAPTER 2: INFRASTRUCTURE

The provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021 have been considered in the assessment of the development application.

Clause	Comment
Clause 2.48 – Electricity infrastructure	It is noted that there are underground powerlines along Bennelong Parkway. However, a referral to Ausgrid was not required as there is no excavation proposed within 2m. Nevertheless, a standard condition of consent to ensure that there is communication between the developer and Ausgrid prior to the issue of the Construction Certificate.
Clause 2.119 – Frontage to a classified road	The subject site does not have frontage to a classified road.
Clause 2.120 – Impact of road noise or vibration on non-road development	Bennelong Parkway has an average daily traffic volume of less than 20,000 vehicles per day. As such, clause 2.120 is not applicable to the development application.

STATE ENVIRONMENTAL PLANNING POLICY NO.65 – DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

Design Excellence Advisory Panel

The application was initially considered by Design Excellence Advisory Panel (DEAP) at a meeting on 27 October 2022. The panel was generally supportive of the application, issuing the design a Green Light, and provided the following advice:

- 1. The Panel is generally satisfied that the matters raised at the DEAP meeting in November 2021 have been addressed.*
- 2. The Panel queried whether the two buildings fully comply with natural ventilation requirements in the ADG.*
- 3. The applicant is advised to demonstrate that minimum ADG requirements are being met for council's benefit. Natural cross ventilation should be verified by technical assessment.*
- 4. The Panel notes that the windows in building F that face building G are openable for natural ventilation and that translucent glazing is used to ensure privacy.*
- 5. The Panel also notes that the architects design report demonstrates that the adjacent buildings G and B comprise primarily blank walls and secondary windows.*
- 6. Concerns regarding amenity of bedrooms with oblique windows ("rabbit ears") have been addressed with windows and external screening for shading and privacy.*
- 7. Separation distances at the rear have been clarified in the architectural design report.*
- 8. Apartments 202, 303, 402, 502, 602 and 702 have been revised to improve solar amenity.*
- 9. The Panel queried the layout of units C0402 and C0403 on levels 04-09 as they have no formal entry; hence the front door will open directly into the living area. The applicant is advised to amend the layouts of these units to provide a suitable entry space.*
- 10. Windows are provided to common circulation areas for daylight and outlook. The glazing should incorporate openable sections to allow for natural ventilation to the common areas.*
- 11. The Panel notes the substations within the front setback area are existing and that landscaping should minimise any negative impact on the streetscape. The Panel also supports the proposal to maximise the impact of a lush landscape setting at the building entries and along Bennelong Parkway.*

12. The Panel notes that the communal open space for the whole development was built and delivered up front. As a result, the previously approved rooftop and ground level common open spaces provided throughout the development will be available to the occupants of the subject buildings.
13. Access to the rooftop open spaces of adjoining buildings are provided on level 10. Where the buildings meet existing common rooftop open spaces, the interfaces will need to be reconciled and made good where required.
14. Communal open space is also provided in the form of a 100sqm internal community room on the ground floor of building C. The facility includes a kitchenette, storage and accessible toilet. In line with the shared use of common open space on the roof of the adjoining buildings, consideration should be given to making the community room available to building F as well as D and E if similar facilities are not provided in those buildings.
15. The applicant needs to confirm with Council that all minimum areas are achieved.
16. The Panel recommends the use of flexible planters and furniture for rooftop areas.
17. The Panel supports the use of the blade walls as a way of articulating the façades of the 2 buildings. The positive effect of the façades on the streetscape should outweigh any negative impacts that may result from the minor intrusions in the front setback area.

Comment: The application, as amended in accordance with the recommendations of Panel, is considered to satisfactorily address the comments.

The provisions of SEPP 65 have been considered in the assessment of the development application. The applicant submitted a SEPP 65 assessment of the proposed development along with a design verification statement verifying that the plans submitted were drawn by a Registered Architect.

Apartment Design Guide Assessment

Note: Some parameters apply to the entire site (and not limited to this stage of development). Parameters that apply to the building have been applied to the entire Building C and Building F and are not calculated solely only on the additional units.

Subjects & Controls	Proposal	Complies
3D Communal and public open space		
Communal open space has a minimum area equal to 25% (6393m ²) of the site	Total = 13,037m ² or 51% (note that through site link and Bennelong Parkway setback has been included in the COS calculations)	Yes
Developments achieve a min. of 50% direct sunlight to the principal useable part of the COS for a min. 2 hours between 9am and 3pm, mid-winter.	More than 50% of direct sunlight to COS.	Yes
3E Deep Soil Zones		
7% (1,790m ²) to 15% (3,835m ²) deep soil encouraged given the size of the site and context with 6m dimensions.	Total = 6,746m ² or 26% Deep soil zones are only contained within the Bennelong Parkway front setback and within Bay Park.	Yes

3F Visual Privacy/Building Separation			
Separation between windows and balconies is provided to ensure visual privacy is achieved. Minimum required separation distances from buildings to the side and rear boundaries are as follows:		To adjoining properties Building C to Building B – Min. 6.2m to Max. 12m Building C to Building D – Min Nil to Max. 6m Building F to Building E – Nil Building F to Building G – 12m	Generally compliant. Nil separation to existing development is to allow connections as per the concept plan. Min. separation between Building C and B is not between habitable rooms.
Building Height	Habitable rooms and balconies	Non-habitable rooms	
up to 12m (4 storeys)	6m	3m	
Up to 25m (5-8 storeys)	9m	4.5m	
Over 25m (9+ storeys)	12m	6m	
3J Bicycle and Car Parking			
Homebush Bay West DCP 2004 / Guide to Traffic Generation Developments			
Maximum car parking spaces: 276 total spaces, including 244 residential spaces and 32 visitor spaces		275 total spaces (including 243 residential spaces, 16 accessible and 32 visitor parking)	Yes
4A Solar and daylight access			
Living rooms and private open space of at least 70% of apartments in a building receive a min. 2 hours of direct sunlight between 9am and 3pm on 21 June		70% of apartments in Building C will receive solar access 72% of apartments in Building F will receive solar access.	Yes
A max. of 15% of apartments in the building receive no sunlight between 9am and 3pm at mid-winter		11% of apartments in Building C will receive no solar access in mid-winter 7% of apartments in Building F will receive no solar access in mid-winter	Yes
4B Natural Ventilation			
Min 60% of apartments are naturally cross ventilated in the first nine storeys of the building.		Building C – 39 out of 65 (60%) Building F – 40 out of 58 (68%)	Yes
4C Ceiling Heights			
Measured from finished floor level to finished ceiling level, minimum ceiling heights are:		2.7m habitable floor to ceiling heights for habitable rooms	Yes
Minimum Ceiling Height			
Habitable rooms	2.7m		
Non-habitable	2.4m		
If located in 3.3m ground & first mixed use areas floor			
These minimums do not preclude higher ceilings if desired			
4D Apartment size and layout			
Minimum unit sizes: Studio – 35m² 1 bed – 50m² 2 bed – 70m² 3 bed – 90m² Additional bathrooms increase the minimum internal area by 5m² each		All units comply with the minimum sizes required.	Yes
Master bedrooms have a min. size of 10m² & other bedrooms 9m² (excluding wardrobe space) Min dimension 3m		Master bedrooms comply	Yes

Living rooms or combined living/dining rooms have a minimum width of: - 3.6m for studio and 1 bedroom apartments. - 4m for 2 and 3 bedroom apartments.	All living/dining generally complies.	Yes												
4E Private open space and balconies														
All apartments are to have primary balconies as follows:	All units meet minimum areas	Yes												
<table border="1"> <thead> <tr> <th>Dwelling type</th><th>Minimum Area</th><th>Minimum Depth</th></tr> </thead> <tbody> <tr> <td>1 Bedroom</td><td>8 m²</td><td>2m</td></tr> <tr> <td>2 Bedroom</td><td>10 m²</td><td>2m</td></tr> <tr> <td>3 Bedroom</td><td>12 m²</td><td>2.4m</td></tr> </tbody> </table>	Dwelling type	Minimum Area	Minimum Depth	1 Bedroom	8 m ²	2m	2 Bedroom	10 m ²	2m	3 Bedroom	12 m ²	2.4m		
Dwelling type	Minimum Area	Minimum Depth												
1 Bedroom	8 m ²	2m												
2 Bedroom	10 m ²	2m												
3 Bedroom	12 m ²	2.4m												
Ground floor units are to have private open space as follows: 15m ² , min 3m depth	Ground floor units comply.	Yes												
4F Common circulation and spaces														
Max. number of apartments off a circulation core on a single level is 8.	Building C – Max. 6 units Building F – Max. 7 units	Yes												
4G Storage														
In addition to storage in kitchens, bathrooms and bedrooms, the following storage is required:	Adequate storage areas provided.	Yes												
<table border="1"> <thead> <tr> <th>Apartment type</th><th>Storage volume</th><th>size</th></tr> </thead> <tbody> <tr> <td>1 bedroom</td><td>6 m³</td><td></td></tr> <tr> <td>2 bedroom</td><td>8 m³</td><td></td></tr> <tr> <td>3 bedroom</td><td>10 m³</td><td></td></tr> </tbody> </table>	Apartment type	Storage volume	size	1 bedroom	6 m ³		2 bedroom	8 m ³		3 bedroom	10 m ³			
Apartment type	Storage volume	size												
1 bedroom	6 m ³													
2 bedroom	8 m ³													
3 bedroom	10 m ³													
At least 50% of the required storage is to be located within the apartment.	Adequate storage areas provided.	Yes												

PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2023

Parramatta LEP 2023 was gazetted on 2 March 2023. Clause 1.8 of the LEP now repeals the following planning instruments:

- Auburn Local Environmental Plan 2010
- Holroyd Local Environmental Plan 2013
- Parramatta (former The Hills) Local Environmental Plan 2012
- Parramatta Local Environmental Plan 2011

Clause 1.8A Savings provision relating to development applications states:

If a development application has been made before the commencement of this Plan in relation to land to which this Plan applies and the application has not been finally determined before that commencement, the application must be determined as if this Plan had not commenced.

The current modification application was lodged on 19 September 2022 and therefore the provisions of Parramatta LEP 2023 are not applicable in this instance. The subject site is identified as a “Deferred Matter” as noted on the LEP Map. It is noted that Council is working with the NSW Government to transfer the existing planning controls for this land into the LEP and to repeal Chapter 4 of SEPP (Precincts – Central River City) 2021.

3. DEVELOPMENT CONTROL PLANS

Homebush Bay West DCP 2004

The majority of controls for this proposal are contained within the ADG or the approved Concept Plan for the site. Only the relevant controls contained within the HBWDCP have been discussed below:

4.1.7 – Wind	The application is supported by a technical report prepared by SLR. The report was independently reviewed by a wind expert who advised that they had no issue with the wind mitigation strategies recommended by SLR.
4.1.8 – Geotechnical Suitability and Contamination	As discussed previously in this report, the subject site has been remediated in accordance with the requirements approved under the Concept Plan and previous stages of the development. The site considered suitable for the proposed use.
4.2.1 – Crime Prevention	The application was referred to Council's Crime Prevention Officer, who raised no objections to the development, subject to the imposition of conditions of consent.
4.3.1 – Building Entry	The entrances to both buildings are clearly defined, accessible from Bennelong Parkway and well-integrated with the existing buildings of the concept plan.
4.3.2 – Parking	The parking was reviewed by Council's Traffic and Transport Officer, who raised no objections to the location, or quantum of parking provided for the development.
4.3.3 – Pedestrian Access	The pedestrian access was reviewed by Council's Accessibility Officer who raised no objections to the development, subject to the imposition of conditions of consent.
4.3.4 – Vehicular Access	The vehicular access was reviewed by Council's Traffic and Transport Officer, who raised no objections to the development, subject to the imposition of conditions of consent.
4.4.5 – Flexibility	<p>It is noted that the previous Stages did not provide a sufficient quantum of adaptable units. In that regard, an advisory note was present in the Stage 3 consent that read:</p> <p><i>A minimum of 20% of apartments within the site are to be adaptable apartments in accordance with Section 4.4.5 of the Homebush Bay West DCP 2004. It is noted that Stages 1 to 3 have a deficiency of 5 adaptable apartments (based on the provision of 88 apartments within Stages 1-3), which will need to be accommodated in Stage 4 of the redevelopment of the site. These 5 adaptable apartments will need to be provided in addition to the minimum 20% of adaptable apartments required for the Stage 4 development.</i></p> <p>It is noted that the development currently does not incorporate the additional 5 units stated above. Accordingly, a condition of consent has been imposed to ensure the correct number of adaptable units is provided.</p>
4.5.1 – Acoustic Amenity	The acoustic amenity was reviewed by Council's Environmental Health Officer, who raised no objections to the development, subject to the imposition of conditions of consent.
4.7.2 – Maintenance	The development will be incorporated into the overall maintenance of the entire concept plan precinct.
4.7.3 – Waste Management	The waste management was reviewed by Council's Environmental Health Officer, who raised no objections to the development, subject to the imposition of conditions of consent.

4. REFERRALS

Internal	
Accessibility	Supported, subject to conditions.
Crime Prevention	Supported, subject to conditions.
Environmental Health	Supported, subject to conditions.
Waste Management	Supported, subject to conditions.
Acoustic	Supported, subject to conditions.
Traffic & Transport	Supported, subject to conditions.
Urban Design Public Domain	Supported, subject to conditions.
Arts Plan	Supported, subject to conditions.
Development Engineer	Supported, subject to conditions.
Tree & Landscape	Supported, subject to conditions.
External	
CASA	No objection. No conditions required.
TfNSW	No objection. No conditions required.
SOPA	Supported, subject to conditions.
Wind Consultant	Supported, subject to conditions.
DEAP	Supported, subject to conditions.
Sydney Water	Supported, subject to conditions.

5. PUBLIC CONSULTATION

The application was notified in accordance with Council's notification procedures contained within the Parramatta Consolidated Notification Procedures. In response, 1 unique submission was received. The submission raised the following concerns:

Issue	Comment
Lack of Infrastructure	<p>The subject site is part of an overall concept plan already approved by the Department of Planning, with numerous subsequent modifications that have prescribed a maximum density and unit yield that the site can accommodate.</p> <p>It is of note that the resulting density and unit yield as a result of this development application results in a total that is less than the approved maximum.</p>
Traffic	<p>As above, the maximum number of parking spaces for the development has also been prescribed. It is noted that the shared basement across all the buildings has already been built and this application assigns spaces to the proposed development.</p> <p>The application was referred to Council's Traffic and Transport Officer who raised no objections, subject to the imposition of conditions of consent.</p>
Flooding	<p>The subject site is not identified as being flood prone. The discharge of stormwater was referred to Council's Development Engineer who raised no objections, subject to the imposition of conditions of consent.</p>

Conciliation Conference

On 11 December 2017, Council resolved that:

"If more than 7 unique submissions are received over the whole LGA in the form of an objection relating to a development application during a formal notification period, Council will host a conciliation conference at Council offices."

Conciliation Conference – Not Required

As the application received no unique submissions during the formal notification period, a Conciliation Conference was not required to be held.

6. DEVELOPMENT CONTRIBUTIONS

The development will require the payment of contributions in accordance with *City of Parramatta (Outside CBD) Development Contributions Plan 2021 (Amendment No.1)*.

The calculation is based on the number of additional dwellings resulting from the development. As the proposed will increase the overall residential capacity of the site by 37 one-bedroom apartments, 67 two-bedroom apartments. and 53 three-bedroom apartments, the developer will be required to pay a total contribution of \$2,986,006.21 with the following breakdown:

Space & Outdoor Recreation	\$1,944,564.89
Indoor Sports Courts	\$177,233.86
Open Community Facilities	\$233,100.74
Aquatic Facilities	\$54,325.95
Traffic and Transport	\$548,269.42
Plan Administration	\$28,511.35
Total	\$2,986,006.21

7. BONDS

In accordance with Council's Schedule of Fees and Charges for this financial year, the developer will be obliged to pay Security Bonds to ensure the protection of civil infrastructure located in the public domain adjacent to the site. A standard condition of consent has been imposed requiring the Security Bond to be paid prior to the issue of a Construction Certificate.

8. EP&A REGULATION 2021

Applicable Regulation considerations including demolition, fire safety, fire upgrades, compliance with the Building Code of Australia, compliance with the Home Building Act, PCA appointment, notice of commencement of works, sign on work sites, critical stage inspections and records of inspection have been addressed by appropriate consent conditions, refer to Attachment B below.



**CITY OF
PARRAMATTA**

ATTACHMENT B – DRAFT CONDITIONS OF CONSENT

PART A – GENERAL CONDITIONS

PA0001 #Approved Plans & Support Documents

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

Architectural Drawings (Project No. 18039)

Drawing No.	Issue	Plan Title	Dated
DA-010-020	03	Site Analysis	14/04/2023
DA-110-003a	05	Basement 6	14/04/2023
DA-110-004	05	Basement 4	14/04/2023
DA-110-005	04	Basement 3	14/04/2023
DA-110-006	05	Basement 2	14/04/2023
DA-110-007	05	Basement 1	14/04/2023
DA-110-010	05	Level 01	14/04/2023
DA-110-020	04	Level 02 – Podium	14/04/2023
DA-111-010	05	Building C – Level 01	14/04/2023
DA-111-020	05	Building C – Level 02	14/04/2023
DA-111-030	06	Building C – Level 03	14/04/2023
DA-111-040	06	Building C – Level 04-09	14/04/2023
DA-111-100	06	Building C – Level 10	14/04/2023
DA-111-110	06	Building C – Level 11-12	14/04/2023
DA-111-130	05	Building C – Level 13	14/04/2023
DA-111-140	06	Building C – Level 14	14/04/2023
DA-111-150	05	Building C – Level 15	14/04/2023
DA-111-160	05	Building C – Level 16	14/04/2023
DA-111-170	05	Building C – Plant Roof Level	14/04/2023
DA-112-010	05	Building F – Level 01	14/04/2023
DA-112-020	05	Building F – Level 02	14/04/2023
DA-112-030	06	Building F – Level 03-09	14/04/2023
DA-112-100	05	Building F – Level 10	14/04/2023
DA-112-110	05	Building F – Level 11	14/04/2023
DA-112-120	05	Building F – Level 12	14/04/2023
DA-112-130	05	Building F – Level 13	14/04/2023
DA-112-140	06	Building F – Level 14	14/04/2023
DA-112-150	05	Building F – Level 15	14/04/2023
DA-112-160	05	Building F – Level 16	14/04/2023
DA-112-170	05	Building F – Plant Roof Level	14/04/2023
DA-210-101	04	Building F – West Elevation	14/04/2023
DA-210-201	04	Building F – East Elevation	14/04/2023
DA-210-301	04	Building F – South Elevation	14/04/2023
DA-210-401	04	Building F – North Elevation	14/04/2023
DA-210-501	04	Building C – West Elevation	14/04/2023
DA-210-601	04	Building C – East Elevation	14/04/2023
DA-210-701	04	Building C – South Elevation	14/04/2023
DA-210-801	04	Building C – North Elevation	14/04/2023
DA-210-901	04	Building C+F – West Elevation	14/04/2023
DA-310-101	04	Section AA	14/04/2023

Drawing No.	Issue	Plan Title	Dated
DA-310-201	04	Section BB	14/04/2023
DA-310-301	04	Section CC	14/04/2023
DA-310-401	04	Section DD	14/04/2023

Civil Stormwater (Project No. SYS212-010)

Drawing No.	Issue	Plan Title	Dated
C001	A	Standard Notes	28/06/2022
C210	A	Erosion and Sediment Control Building F	28/06/2022
C211	A	Erosion and Sediment Control Building C	28/06/2022
C401	A	Building C Drainage Layout	28/06/2022
C402	A	Building F Drainage Layout	28/06/2022
C403	A	Drainage Details	28/06/2022

Landscape Drawings (Project No. 150124-1)

Drawing No.	Issue	Plan Title	Dated
L0.00	B	Cover Sheet	06/03/2023
L0.01	B	Planting Schedule	06/03/2023
L2.01	B	Ground Floor Planting Plan	06/03/2023
L2.02	B	Ground Floor Planting Plan	06/03/2023
L2.03	B	Level 2 Plating Plan	06/03/2023
L2.04	B	Level 2 Planting Plan	06/03/2023
L2.05	B	Level 3 Planting Plan	06/03/2023
L2.06	B	Level 10 Planting Plan	06/03/2023
L2.07	B	Level 12 Planting Plan	06/03/2023
L2.08	B	Level 13 Planting Plan	06/03/2023
L2.09	B	Level 14 Planting Plan	06/03/2023
L2.10	B	Roof Terrace Planting Plan	06/03/2023
L2.11	B	Roof Terrace Planting Plan	06/03/2023

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Waste Management Plan	-	B	Elephants Foot Consulting	16/06/2022
BASIX Certificate No.1318987M	-	-	Efficient Living	01/07/2022
Traffic Report	21075	1	Varga Traffic Planning	19/04/2023
BCA Report	106277-BC-r8	-	BCA Logic	28/06/2022
Acoustic Report	210104	3	Pulse White Noise Acoustics	21/06/2022
Access Report	21099	A	Vista Access Architects	05/07/2022
Construction Management Plan	-	1	Piety Group	05/07/2022

CPTED Report	-	-	FPD Pty Ltd	18/07/2022
Wind Report	610.30884-R01	1	SLR	28/06/2022

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

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

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

PA0003 Construction Certificate

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

Reason: To ensure compliance with legislative requirements.

PA0004 No encroachment on Council and/or Adjoining proper

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

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

PA0007 Demolition work carried out in accordance with Aus

4. 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.

PA0011 #Demolition of Buildings

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

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

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

- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This

condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 469 of the Work Health and Safety Regulation 2017.

- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Prior to the commencement of any demolition works, and where the site ceases to be occupied during works, the property owner must notify Council to discontinue the domestic waste service and to collect any garbage and recycling bins from any dwelling/ building that is to be demolished. Waste service charges will continue to be charged where this is not done. Construction and/ or demolition workers are not permitted to use Council's domestic waste service for the disposal of any waste.
- (i) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (j) Demolition works are restricted to Monday to Saturday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on 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 NSW 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.

PA0013 LSL Payment Const> \$250,000

6. Before the issue of a Construction Certificate, the applicant is to ensure that the person liable pays the Long Service Levy of 0.25% of the value of building and construction work where the cost of building is \$250,000 or more (inclusive of GST) or as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the *Building and Construction Industry Long Service Payments Act 1986* and provides proof of this payment to the Certifier.

Note: The Long Service Levy is to be paid directly to the **Long Service Corporation** at www.longservice.nsw.gov.au. For more information, please contact the Levy support team on 13 14 41.

Reason: To ensure that the Long Service Levy is paid.

PA0014 #Payment of Security deposits

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

Bond Type	Amount
Nature Strip and Roadway:	\$25,750

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees) as a consequence of carrying out the works to which the consent relates,

- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

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

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

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

Should a bank guarantee be lodged it must:

- Have no expiry date;
- Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/747/2022;
- Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

A dilapidation report is required to be prepared and submitted electronically to the City of Parramatta Council (council@cityofparramatta.nsw.gov.au) prior to any work or demolition commencing and with the payment of the bond/s.

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

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

PA0015 #Payment of Sec7.11 Contributions

8. Before the issue of a construction certificate, the applicant must pay the following contributions to Council for:

Contribution Type	Amount
Space & Outdoor Recreation	\$1,944,564.89
Indoor Sports Courts	\$177,233.86
Open Community Facilities	\$233,100.74
Aquatic Facilities	\$54,325.95
Traffic and Transport	\$548,269.42
Plan Administration	\$28,511.35
Total	\$2,986,006.21

The total contribution payable to Council under this condition is \$2,986,006.21 as calculated at the date of this consent, in accordance with *City of Parramatta (Outside CBD) Development Contributions Plan 2021 (Amendment No.1)*.

The total amount payable may be adjusted at the time the payment is made, in accordance with the provisions of the *City of Parramatta (Outside CBD) Development Contributions Plan 2021 (Amendment No.1)*.

A copy of the development contributions plan is available for inspection at <https://www.cityofparramatta.nsw.gov.au/development/planning/development-contributions>.

Reason: To ensure development contributions are paid to address the increased demand for public amenities and services resulting from the approved development

PANSC Non-standard - General Matters

9. The applicant is to contact Sydney Water via the WSC process to develop an alternative commercial servicing agreement.

Reason: To comply with requirements of Sydney Water.

EPA0062 Soil and Water Management – Stockpiles

10. 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.

LA0001#Tree Retention

11. Trees to be retained are:

Tree No.	Name	Common Name	Location	Tree Protection Zone (m)
1-4	<i>Corymbia maculata</i>	Spotted Gum	Refer to arborist report	Refer to arborist report
8-9	<i>Eucalyptus botryoides</i>	Southern Mahogany	Refer to arborist report	Refer to arborist report
10	<i>Eucalyptus saligna</i>	Sydney Blue Gum	Refer to arborist report	Refer to arborist report
12	<i>Corymbia citriodora</i>	Lemon-scented Gum	Refer to arborist report	Refer to arborist report

Reason: To protect significant trees which contribute to the landscape character of the area.

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

PB0007Location of plant (residential flat buildings)

12. Prior to the issue of a Construction certificate, the Certifying Authority must be satisfied that all plant and equipment (including but not limited to air conditioning equipment) is located within the basement.

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

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

PB0008No external service ducts for multi-unit develop

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

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

PB0010 #Acoustic Report

14. The recommendations outlined in the acoustic report No. 210104-Revision 3, 23 Bennelong Parkway Wentworth Point- DA Acoustic Assessment prepared by Pulse White Noise Acoustics Pty Ltd, dated 21 June 2022 shall be incorporated into the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure a suitable level of residential amenity.

PB0011Noise from Road/s (residential only) (Prev. PB08)

15. Prior to the issue of the Construction Certificate, the Certifying Authority must be satisfied the building has been acoustically designed and capable of being constructed to meet the requirements of:

- (a) AS3671-1989 (Acoustics – Road Traffic Noise Intrusion - Building Siting and Construction), and
- (b) AS 2107-2000 (Recommended design sound levels and Reverberation times in Building interiors); and
- (c) The NSW EPA Road Noise Policy.

Certification is to be provided by a practising acoustic engineer certifying the construction plans have been prepared to satisfy the above criteria.

Reason: To ensure a suitable level of residential amenity.

PB0012Single master TV antenna

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

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

Reason: To protect the visual amenity of the area.

PB0015Energy Provider requirements for dual occ. & above

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

Reason: To ensure adequate electricity supply to the development.

PB0028SEPP 65 verification

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

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

Reason: To comply with the requirements of SEPP 65.

PB0030Infrastructure & Restoration Adm. fee for all DAs

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

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

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.

PB0032Constr. Noise Managt. Plan for townhouses & above

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

The Construction Noise Management Plan must include:

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

Reason: To prevent loss of amenity to the area.

PB0033Energy Provider requirements for Substations

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

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

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

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

PB0036 Noise Management Plan - Demo. Excav. & Construction

22. 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:

- 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..
- 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
- What course of action will be taken following receipt of a complaint concerning site noise, dust and vibration?
- 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.
- 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.

PB0039#Adaptable Dwellings for Multi-unit and RFB's

23. The development must incorporate 37 adaptable dwellings. Plans submitted with the Construction Certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

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

PB0053 Construct. Site Management Plan

24. Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:

- () location and materials for protective fencing and hoardings to the perimeter on the site
- (a) provisions for public safety
- (b) pedestrian and vehicular site access points and construction activity zones
- (c) details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- (d) protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- (e) details of any bulk earthworks to be carried out
- (f) location of site storage areas and sheds
- (g) equipment used to carry out all works
- (h) a garbage container with a tight-fitting lid
- (i) dust, noise and vibration control measures
- (j) location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction

PB0054 Erosion and Sediment Control Plan

25. Before the issue of a construction certificate, the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:
- Council's development control plan,
 - the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and
 - the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept on-site at all times during site works and construction.

Reason: To ensure no substance other than rainwater enters the stormwater system and waterways

PB0055Waste Management Plan

26. Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:

(a) Council's Waste Management Development Control Plan

OR

(b) Details the following:

() the contact details of the person(s) removing the waste

(a) an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill

(b) the address of the disposal location(s) where the waste is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.

Reason: To ensure resource recovery is promoted and local amenity protected during construction.

PB0056Utilities and Services

27. Before the issue of the relevant construction certificate, the applicant must submit the following written evidence of service provider requirements to the certifier:

(a) a letter of consent from Ausgrid demonstrating that satisfactory arrangements can be made for the installation and supply of electricity

(b) a response from Ausgrid as to whether the plans proposed to accompany the application for a construction certificate would affect any Ausgrid infrastructure, and whether further requirements need to be met.

(c) other relevant utilities or services - that the development as proposed to be carried out is satisfactory to those other service providers, or if it is not, what changes are required to make the development satisfactory to them.

Reason: To ensure relevant utility and service providers requirements are provided to the certifier

PB0057Dilapidation Report (If Applicable)

28. Before the issue of a construction certificate, a suitably qualified engineer must prepare a dilapidation report detailing the structural condition of adjoining buildings, structures or works, and public land, to the satisfaction of the certifier. If the engineer is denied access to any adjoining properties to prepare the dilapidation report, the report must be based on a survey of what can be observed externally and demonstrate, in writing, to the certifier's satisfaction that all reasonable steps were taken to obtain access to the adjoining properties.

Reason: To establish and document the structural condition of adjoining properties and public land for comparison as building work progresses and is completed.

PB0058Adaptable Units(If Applicable)

29. Before the issue of the relevant construction certificate, the applicant must ensure a report from a suitably qualified consultant is prepared and demonstrates, to the certifier's satisfaction, that any adaptable dwellings specified in the approved plans or supporting documentation comply with the provisions of AS 4299-1995 *Adaptable Housing Standards*.

Reason: To ensure adaptable units are designed in accordance with the Australian Standard.

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

30. Prior to the issue of the construction certificate, the applicant is to provide an updated Public Arts Plan to the satisfaction of Council's Public Art Officer.

Reason: To ensure the proper delivery of Public Art in the precinct.

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

31. The applicant is to make a formal submission to Ausgrid by means of a duly completed Connection Application and/or Preliminary Enquiry form to allow Ausgrid to assess any impacts on its infrastructure and determine the electrical supply requirements for the development (e.g. whether a substation is required on site) before the issue of a Construction Certificate.

Note: Any work undertaken near Ausgrid assets needs to be done in accordance with various standards, rules and guidelines including:

- a. Ausgrid's Network Standards
- b. Ausgrid's Electrical Safety Rules.

The developer is to ensure that the proposed works do not contravene Ausgrid's Technical Standards and statutory requirements with regards to the safe and reliable operation and maintenance of its network.

Reason: To comply with the requirements of Ausgrid.

DB0001 Stormwater Disposal

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

Reason: To ensure satisfactory stormwater disposal.

DB0002 Retaining walls

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

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

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

Reason: To minimise impact on adjoining properties.

DB0003 Sydney Water Quick check

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

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

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

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

DB0004 Dial Before you Dig Service

35. 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.

DB0013 #Water treatment for stormwater

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

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

DB0022 Support for Council Rds, footpath, drainage reserv.

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

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

Reason: To protect Council's infrastructure.

DB0023 Construction adjacent to a drainage easement

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

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

EABNSC Non-standard - Prior to the issue of a CC

39. Prior to the issue of a construction certificate, a detailed acoustic assessment from a suitably qualified acoustic engineer is undertaken to ensure all cumulative noise from mechanical plants and engineering services (including the roof plant room) comply with the requirements as listed in section 5.2 of Acoustic Report No. 210104-Revision 3, 23 Bennelong Parkway Wentworth Point- DA Acoustic Assessment prepared by Pulse White Noise Acoustics Pty Ltd, dated 21 June 2022. The detailed acoustic assessment report shall be submitted to the Principal Certifying Authority.

Reason: To demonstrate compliance with submitted reports.

LB0001A Planting upon Structure

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

Reason: To ensure the creation of functional gardens.

LB0007 Species replacement

41. Plans submitted with the construction certificate must illustrate that the approved landscape plan referenced in condition incorporates the following change in plant species:
- (a) The replacement of all proposed citrus trees with a small feature tree capable of thriving in elevated planter boxes.

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

LF0001 Landscape maintenance

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

Reason: To ensure restoration of environmental amenity.

OB0001 Reserve Stormwater CEMP

43. Prior to the issue of a Construction Certificate, a Construction Environmental Management Plan (CEMP) must be prepared by a suitably qualified ecologist and submitted to the Principal Certifying Authority prior to the issue of the construction certificate. The CEMP must include mitigation measures to minimise direct and indirect impacts to flora and fauna, including (but not limited to) bird collision, lighting, noise, minimising pollution, weed management and any other aspect the project ecologist deems necessary.

Reason: To ensure protection of flora and fauna.

OBNSC Non-standard - Prior to the issue of a CC

44. Prior to the issue of a construction certificate, a lighting design plan is to be developed. This plan is to be in line with best practice and is to consider the National Light Pollution Guidelines for Wildlife (Migratory Shorebirds). The lighting design plan is to be developed and reviewed by appropriately qualified lighting practitioners who are to consult with an appropriately qualified ecologist. This lighting plan is to be endorsed by the project ecologist and be submitted to the Principal Certifying Authority prior to the issue of the construction certificate.
- Reason:** To protect fauna from lighting impacts.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

BC0001 Toilet facilities on site

45. Prior to work commencing, adequate toilet facilities are to be provided on the work site.
- Reason:** To ensure adequate toilet facilities are provided.

PC0001 #Appointment of PCA

46. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:
- 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
 - Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.
- The Principal Certifying Authority must determine and advise the person having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.
- Reason:** To comply with legislative requirements.

PC0002 Enclosure of the site

47. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.
- Reason:** To ensure public safety.

PC0003 Site Sign

48. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 70 of the Environmental Planning and Assessment Regulations 2021 detailing:
- Unauthorised entry of the work site is prohibited;
 - The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
 - The name, address and telephone number of the Principal Certifying Authority;
 - The development consent approved construction hours;
 - The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
 - This condition does not apply where works are being carried out inside an existing building.
- Reason:** Statutory requirement.

PC0006 Noise Management Plan – Construction Sites

49. 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:

- Identify sensitive location near the site;
- Identify potential impacts (i.e. exceedance of the goals at the identified locations);
- Mitigation measures to control noise and dust from the site, the noise reduction likely and the feasibility and reasonableness of these measures;
- Selection criteria for plant and equipment;
- Community consultation;
- Details of work schedules for all construction phases;
- Selection of traffic routes to minimise residential noise intrusion;
- Schedule of plant and equipment use and maintenance programs;

- Noise monitoring techniques and method of reporting results;
- The methodology to be employed for handling and investigating any complaints should they arise;
- Site induction details for employees and contractors; and
- A declaration of available technologies and the reason for the selection of the preferred technology from a noise generating perspective should be included.

Reason: To maintain appropriate amenity to nearby occupants.

PC0007 Footings and walls near boundaries

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

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

PC0010 Compliance with Home Building Act (If Applicable)

51. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

Reason: Prescribed condition EP&A Regulation, clause 98(1)(b).

DC0001 Construction and Traffic Management Plan

52. 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:
- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
 - Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
 - The locations of proposed Work Zones in the egress frontage roadways,
 - Location of any proposed crane standing areas,
 - A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
 - Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
 - The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
 - 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.
 - 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:
- (a) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road,
 - (b) 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.
 - (c) 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.

DC0003 Dilapidation survey & report for private properties

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

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

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

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

Reason: Management of records.

DC0004 Geotechnical report

54. Prior to the commencement of any excavation works on site the applicant must submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:
- (i) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
 - (ii) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.
 - (iii) The proposed methods for temporary and permanent support required by the extent of excavation can be established.

- (iv) The impact on groundwater levels in relation to the basement structure.
- (v) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

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

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

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

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

- (a) No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- (b) No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (c) No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (d) Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
- (e) Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
- (f) An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table CI of AS 2870 - 1996.

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

DC0006 Erosion and Sediment Control measures

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

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

DC0007 Site Maintenance

- 56. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:

- (a) all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
- (b) all site boundaries are to be secured and maintained to prevent unauthorised access to the site;
- (c) all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
- (d) the site is to be maintained clear of weeds; and
- (e) all grassed areas are to be mowed on a monthly basis.

Reason: To ensure public safety and maintenance of the amenity of the surrounding environment.

DC0008 Shoring and adequacy of adjoining property

57. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:
- (a) Protect and support the adjoining premises from possible damage from the excavation
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage.
- Note:** If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.
- Reason:** As prescribed under the Environmental Planning and Assessment Regulation 2000.

DC0009 Special Permits

58. 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.

LC0002#Tree protection as per arborist report

59. The trees identified for protection within the consent shall be protected prior to and during the demolition/construction process in accordance with the Arboricultural Impact Assessment and Tree Protection Plan prepared by Tree Survey dated 21 December, 2022 and the conditions of consent.
- Reason:** To ensure the protection of the tree(s) to be retained on the site.

LC0007Tree Protection During Construction

60. Tree protection measures are to be installed prior to works commencing on site and are to be maintained throughout the demolition and construction works, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist in accordance with AS4970:2009 - "*Protection of Trees on Development Sites*". Written confirmation by the Project Arborist to be forwarded to the Certifying Authority to state tree protection measures were retained and in place, in accordance with the Conditions of Consent (unless prior approval from the Project Arborist was provided).
- Reason:** To ensure tree(s) are adequately protected throughout the construction phase.

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

PD0003 Dust Control

61. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Section 126 of the Protection of the Environment Operations Act 1997.
- Reason:** To protect the amenity of the area.

PD0004 Materials on footpath

62. 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.

PD0005 No work on public open space

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

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

PD0006 Hours of work and noise

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

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

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

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

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

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

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

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

- (a) Nature of work to be conducted;
- (b) Reason for after-hours completion;
- (c) Residual effect of work (noise, traffic, parking);
- (d) Demographic of area (residential, industrial);
- (e) Compliance history of subject premises;
- (f) Current hours of operation;
- (g) Mitigating or extenuating circumstance; and
- (h) Impact of works not being completed.

Reason: To protect the amenity of the surrounding area.

PD0007 Complaints register

65. 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.

PD0008 Construction Noise

66. While building work is being carried out, and where a noise and vibration management plan is approved under this consent, the applicant must ensure that any noise generated from the site is controlled in accordance with the requirements of that plan.

OR

While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.

Reason: To protect the amenity of the neighbourhood.

PD0009 Cut and fill (if applicable)

67. While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- (a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the principal certifier.
- (b) All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is safe for future occupants.

PD0010 Survey Report

68. While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier: -

- All footings/ foundations
- At other stages of construction – any marks that are required by the principal certifier

Reason: To ensure buildings are sited and positioned in the approved location.

PD0019 Material identified as contaminated

69. In the event that material is identified at the subject site as contaminated as defined in the Managing Land Contamination Planning Guidelines dated 1998 and prepared by the Department of Urban Affairs and Planning, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. Any soil investigation must be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites, the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007, and the provisions of the Contaminated Land Management Act 1997 and Regulation 2013.

Reason: To ensure that the provisions set out in Clause 4.6 of State Environmental Planning Policy (Resilience and Hazards) 2021 have been met and the use of the land poses no risk to the environment and human health.

PD0020 Building Work Compliance BCA

70. 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.

PD0027 Waste Management

71. While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken

- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Reason: To require records to be provided, during construction, documenting that waste is appropriately handled

DD0001 Drainage to existing system

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

Reason: To ensure satisfactory stormwater disposal.

DD0005 Erosion & sediment control measures

73. Works are not to result in sedimentation and or run-off from the approved works onto the adjoining properties and or public lands. The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

Reason: To ensure no adverse impacts on neighbouring properties.

DD0006 Damage to public infrastructure

74. 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.

EPD0001 Dust Control

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

Reason: To protect the amenity of the area.

EWD0003 Waste data file maintained

76. 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.

EWD0006 Liquid and Solid Wastes

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

Reason: To prevent pollution of the environment.

EWD0013 Polluted water from excavation analysis

78. 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.

LD0011 Tree Removal

79. Trees to be removed are:

Tree No.	Species	Common Name	Location
5	<i>Elaeocarpus reticulatus</i>	Blueberry Ash	Refer to arborist report
6	<i>Eucalyptus botryoides</i>	Southern mahogany	Refer to arborist report
7	<i>Eucalyptus botryoides</i>	Southern mahogany	Refer to arborist report
11	<i>Eucalyptus botryoides</i>	Southern mahogany	Refer to arborist report

Reason: To facilitate development.

LD0012 Trees with adequate root volume

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

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

LD0013 Removal of trees by an arborist

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

Reason: To ensure tree works are carried out safely.

TD0001 Road Occupancy Permit

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

Reason: To ensure proper management of Council assets.

TD0002 Oversize vehicles using local roads

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

Reason: To ensure maintenance of Council's assets.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

BE0001 Record of inspections carried out

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

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

Reason: To comply with statutory requirements.

PE0006 Street Number when site readily visible location

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

Reason: To ensure a visible house number is provided.

PE0001 Occupation Certificate

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

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

PE0007#BASIX Compliance

87. Under Section 75 of the Environmental Planning & Assessment Regulation 2021, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. 1318987M, will be complied with prior to occupation.

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

PE0008 Completion of Public Utility Services

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

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

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

PE0025 SEPP 65 verification statement OC stage

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

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

Reason: To comply with the requirements of SEPP 65.

PE0026 PE25 –Adaptable dwellings Multi-unit and RFB's modi

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

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

PE0027 Post Constr. Private Property Dilapidation Report

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

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

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

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

PE0028 Strata Subdivision certificate required modified

92. A separate application must be made to Council or an accredited certifier to obtain approval of the strata plan under Part 4 of the Strata Schemes Development Act 2015 (NSW).

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

DE0003 Work-as-Executed Plan

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

- A WAE survey shall be conducted and plans prepared showing the 'as built' of the complete on-site detention system including (but not limited to) discharge point into Council system, storage tank (including all critical elements), all pipes and pits connected to the filtration system etc.
- The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.

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

Reason: To ensure works comply with approved plans

DE0006 Section 73 Certificate

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

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

DE0008 Compliance with Development Consent

95. The subdivision certificate will not be issued until a final Occupation Certificate has been submitted to Council.

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and conditions of consent.

EAE0001 #All works/methods/procedures/control measures

96. Prior to the issue of an occupation certificate, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the following report have been completed:
- a. Acoustic Report No. 210104-Revision 3, 23 Bennelong Parkway Wentworth Point- DA Acoustic Assessment prepared by Pulse White Noise Acoustics Pty Ltd, dated 21 June 2022.

Reason: To demonstrate compliance with submitted reports.

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

97. 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.

PART F – OCCUPATION AND ONGOING USE

EAF0007 Noise from mechanical equipment

98. 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.

EAF0010 Air Conditioners in Residential Buildings

99. The air conditioner/s must not:

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

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

Reason: To prevent loss of amenity to the area.

EWF0001 Hazardous/Clinical waste disposal

100. Disposal of wastes from the premises shall comply with the waste management plan. Waste minimisation practices are to be demonstrated with the ongoing use, with records of disposal of hazardous wastes being kept. The storage and disposal of any hazardous waste (sharps and or clinical waste, items contaminated by blood) is to be in accordance with requirements of the Protection of the Environment Operations (Waste) Regulation 2014.

Note: The disposal of hazardous wastes through a general waste collection service is not permitted.

Reason: To ensure provision is made for appropriate disposal of wastes.

EWF0003 Remove putrescible waste at sufficient frequency

101. 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.

EWF0005 Management of waste storage facilities

102. 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.

EWF0006 Storage of bins between collection periods

103. 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.

PF0004 External Plant/Air-conditioning noise levels

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

Reason: To minimise noise impact of mechanical equipment.

PF0049 Graffiti Management

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

Reason: To ensure the removal of graffiti.

PF0054 Release of Securities/Bonds

106. When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with **City of Parramatta Schedule of Fees and Charges 2023/2024**.

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

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

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

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

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

PF0055 Annual fire safety certificate (if applicable)

107. During occupation and ongoing use of the building, the applicant must provide an annual fire safety statement to Council and the Commissioner of Fire and Rescue NSW in accordance with clause 88 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Reason: To ensure annual checks on fire safety measures.

PFFNSC Non-standard - The Use of the Site

108. That the Crime Prevention Through Environmental Design report be adopted as an approved plan and the development be carried out in accordance with the report;

Reason: To ensure compliance with CPTED principles.

109. All mailboxes must be located inside each building and positioned so that mail can only be removed from inside a private space that is fitted with access control to prevent non-residents from accessing the area;

Reason: To ensure compliance with CPTED principles.

110. Each mailbox must be fitted with an individualised key lock or, alternatively, individual electronic access;

Reason: To ensure compliance with CPTED principles.

111. Security and access control systems to be provided to private residential areas or communal facilities not open to the public, including the communal facility in building C;

Reason: To ensure compliance with CPTED principles.

112. Security, access control and signage in the basement to distinguish between the public and private parking areas to prevent unauthorised access to private basement parking and basement storage areas;
Reason: To ensure compliance with CPTED principles.
113. If any basement storage compartments are provided for residents of the development, they must be secure, with solid, opaque walls and door and fitted with an individualised key lock.
Reason: To ensure compliance with CPTED principles.

PFFNSC Non-standard - The Use of the Site

114. All elements of the final Public Art Strategy is to be implemented to the satisfaction of Council, prior to the issue of the Occupation Certificate.
Reason: To ensure the implementation of the Public Art Strategy.