

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY CENTRAL CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	23 October 2023
<b>DATE OF PANEL DECISION</b>	23 October 2023
<b>DATE OF PANEL MEETING</b>	12 October 2023
<b>PANEL MEMBERS</b>	Steve Murray (Acting Chair), Stacey Miers, Tony McBurney, Georgina Valjak
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	<p>Abigail Goldberg, David Ryan, Jane Fielding, Ric Thorp were on the panel that determined the SCC for this site.</p> <p>Dan Siviero declared a perceived conflict of interest with his association with the club.</p> <p>Michelle Garrard declares a conflict of interest on this matter as I have publicly supported residents in opposing this development.</p> <p>Sameer Pandey declares a conflict of interest on this matter as I have been involved in discussions on this matter with constituents.</p>

Public meeting held by videoconference on 12 October 2023, opened at 11:30am and closed at 12:50pm

#### MATTER DETERMINED

PPSSCC-413 – City of Parramatta – DA/1001/2022 – 94 Bettington Road, Oatlands - Demolition of existing buildings and structures; tree removal and remediation works; construction of temporary club house and associated temporary car parking spaces; construction of seven (7) buildings (2 to 7 storeys) containing 140 independent living units for the purposes of seniors housing (including people with a disability); construction and operation of a new registered club; 399 car parking spaces (200 club, 190 residential, 9 on-street); landscaping and ancillary facilities; and Torrens title subdivision into 2 lots (to separate the site from the golf course land), community title subdivision of site into 16 lots and strata subdivision of the independent living units. The application is Integrated Development under the Rural Fires Act 1997 and Nominated Integrated Development under the Water Management Act 2000.

#### PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings, briefings and the matters listed at item 8 in Schedule 1.

#### Development application

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was 3:1 in favour, against the decision was Georgina Valjak.

#### REASONS FOR THE DECISION

The Panel determined to approve the application for the following reasons:

- The revised application satisfies the requirements of clauses 24 and 25 of the SEPP (Seniors Living and People with a Disability) 2004.
- The revised application is consistent with the aims of objectives of SEPP 65 (Design Quality of Residential Apartment Development) and achieves the outcomes required in terms of the Apartment Design Guidelines.

- The application is not considered to have an adverse impact on the local heritage item Oaklands House for the reasons set out in the Heritage Impact report accompanying the application.
- The revised application adequately addresses the principles and objectives of the Parramatta DCP 2011.
- The proposal will provide additional housing for seniors and provide greater housing choice in the locality.

In forming this opinion, the majority Panel considered the matters outlined in schedule 2 of the site compatibility certificate issued 8 March 2022 and considers these have been adequately addressed.

*The issued SCC requires development for the purposes of seniors housing of the kind proposed in the development application is compatible with the surrounding land uses only if it satisfies certain requirements specified in Schedule 2 of this certificate.*

Schedule 2 sets out nine considerations to be satisfied the and the Panels assessment of each matter is discussed below:

1. The final bulk and scale of any future development must be reduced so as to ensure an acceptable built form relationship with, and minimisation of amenity impacts on, R2 Low Density Residential zoned land adjoining, in particular to the south and west.

*Panel assessment: The revised plans have resulted in an acceptable built form relationship and has minimised amenity impacts with the R2 land adjoining by:*

- *The bulk and scale of the overall development has been reduced from the original plans lodged with the SCC. The requirement in the schedule seeks to ensure the transition between the existing residential development to the south and west with proposed development. This has been achieved by breaking the building mass along Bettington Road, transitioning from two storeys to the west to three storeys on site with a recessed step to a fourth level. Reducing the number of dwellings from 193 to 144, resulting in 20% less FSR, 20% less GFA, and 29% less ground floor GBA. The Panel notes the heights of buildings B and C are similar to those lodged with the site compatibility certificate and the final design are considered to be the same reduced level given minor overruns for the lift towers and rooftop gardens. These show both heights and storeys and in fact show building C as seven storeys in the architectural plans. Height is considered a more appropriate measure of bulk and scale than the number of storeys.*
- *Building B and C are located away from the existing residential development and the transition along the southern and western boundary is considered acceptable.*
- *Deletion of one town houses to improve privacy and solar access to properties to the south and lowering a town house to two storeys adjacent to the childcare centre to ensure adequate solar access.*
- *Provision of appropriate landscaping to the site.*
- *Ensuring visual privacy to the south through privacy screens.*
- *Ensuring adequate solar access to the south and avoiding unacceptable overshadowing as per access to daylight requirements.*

2. The final bulk and scale of any future development must be reduced so as to optimise compliance with deep soil planting requirements and the provision of high quality communal open space.

*Panel assessment: the revised proposal has increased the deep soil provision to provide 20% deep soil as required by the SEPP (Seniors Living and People with a Disability) 2004. This coupled with the open space provision is considered an acceptable outcome.*

3. The urban design of the proposed housing for the seniors precinct is to address and be responsive to the neighbourhood character of existing residential areas, including streetscape character and views from local streets to the golf course, heritage features and the proposed new housing area.

*Panel assessment: The Panel notes the existing and changing character of the neighbourhood. The adjoining and adjacent development is between one and two storeys in height.*

*It is noted that a number of dwellings nearby are currently new and under construction and of a large size and two storeys compared with the older dwelling stock. It is apparent the locality is in transition in terms of built form.*

*The proposed transition in height along the southern and western boundary from two to three storeys is considered acceptable and in terms of the area.*

*The revised proposal increases view lines through the development, setbacks, and breaks in building form to improve neighbourhood outcomes. In addition, the landscaping elements respond to neighboured character.*

4. The interface with existing residential areas must be considered in relation to the height of proposed buildings, setback to existing houses and landscaping.

*Panel assessment: As above the Panel notes the existing and changing character of the neighbourhood.*

*The adjoining and adjacent development is between one and two storeys in height. It is noted that a number of dwellings nearby are currently new and under construction and of a large size and two storeys compared with the older dwelling stock.*

*It is apparent the locality is in transition in terms of built form. The proposed transition in height along the southern and western boundary from two to three storeys is considered acceptable in terms of the area.*

*This is further satisfied with the deletion of one town house on the southern boundary to increase the development setback existing housing.*

5. A materials and finishes schedule which includes consideration of the existing setting and Oatlands House is required to be developed in conjunction with a suitably qualified heritage consultant for any future Development Application.

*Panel assessment: council assessment report agrees that this matter can be satisfied with appropriate conditions.*

6. A Heritage Impact and Archaeological Assessment is to be provided with subsequent DAs to ensure adequate consideration is given to retaining the curtilage of Oatlands House and avoiding potential heritage impacts.

*Panel assessment: this matter can be satisfied with appropriate conditions.*

7. A Photographic Archival Recording is required to record the setting of Oatlands House prior to the existing golf club demolition.

*Panel assessment: council assessment report agrees that this matter can be satisfied with appropriate conditions.*

8. The provision of documentation that demonstrates the access requirements set out in the SEPP, including suitable kerb and road crossings will be achieved.

*Panel assessment: council assessment report outlines this is achieved. Appropriate conditions imposed on consent to ensure these outcomes.*

9. A detailed Site Investigation Report and Hazardous Building Materials Survey must be submitted as part of any future DA, in order to establish the necessary remediation required to make the site suitable for the proposed development.

*Panel Assessment: council assessment report outlines this is achieved. Appropriate conditions imposed on consent to ensure these outcomes.*

Georgina Valjak disagreed with the majority decision for the following reasons:

- Supports the council recommendation to refuse the application - it is considered councils role to promote good design outcomes and, in this instance, the suggestion for a reduction in bulk and scale via the DEAP recommendations was not adequately considered or accepted by the panel.
- Despite previous advice by DEAP and the SCC to reduce the bulk and scale as per Schedule 2, the current proposal has not reduced the height of the development with respect to buildings B & C remaining at 7 storeys. DEAPs recommendation for Building B was maximum 6 storeys with recessed top floor and Building C maximum 4 storeys. Buildings B and C are both 7 storeys. Consequently, Schedule 2 requirements of the Site Compatibility Certificate items 1, 3 & 4 have not been achieved with regard to storey reduction.
- This site is not identified as part of City of Parramatta's housing strategy "Greater Parramatta Growth's Area 12 precincts" to warrant the bulk and scale of this development in particular Buildings B and C given there is no adequate public transport and public infrastructure such as hospitals and supporting services such as medical centres. There are no local services within walking distance of this development hence the reliance on vehicles which will impact surrounding local streets.
- Council's officer recommendation was for the development to follow the topography of the golf course particularly given its size and location. This site had the potential to provide an integrated development with the surrounding area, with connected pedestrian and streets set in a highly landscaped environment. The approved site layout does not respond the surrounds being located on the highest part of the site and does not integrate with the surrounding R2 character given that it is inward facing and not consistent with the streetscape typology.
- The retention of the existing landscaping to screen the bulk and scale of the development is not an adequate response to mitigate the adverse visual impacts of the development and will not provide an adequate visual screen or buffer to the development over the design life of the development in the longer term.
- The letter from the Minister advocating for flexibility and greater consideration to the "housing crisis" that exists within Sydney at the moment is not a relevant matter for consideration under the EPA Act 1979 when determining development applications.

## **CONDITIONS**

The Development Application was approved subject to the conditions as attached to this document.

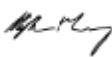
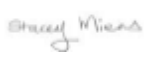
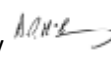

## **CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- The height, bulk and scale of the development is out of character with the surrounding low density residential area.
- Adverse visual impact on the surrounding neighbourhood, with the proposal located on the highest point in Oatlands.
- Increased traffic generation leading to further congestion and pressure on Bettington Road and intersections.

- The validity of the data contained in the Traffic report.
- Safety issues with access to and from the proposed development and temporary car park.
- Adverse heritage impact on Oatlands House – encroach on curtilage, dominant visual backdrop, detract from landscape setting and loss of views from Oatlands house.
- Development has not satisfied the requirements of the Site Compatibility Certificate to reduce bulk and scale.
- Privacy, outlook and overshadowing impacts for adjoining properties to the south along Niblock Crescent and Bettington Road
- Inadequate parking provided for both the club and residents which will cause overflow parking on local street.
- Pressure on already oversubscribed parking and services at local shops.

The Panel considers that concerns raised by the community have been adequately addressed in the Panels consideration of the proposal and that no new issues requiring assessment were raised during the public meeting. The Panel notes that in addressing these issues a revised application and design was lodged and addresses the matters raised in terms of submissions.

PANEL MEMBERS	
Steve Murray (Acting Chair) 	Stacey Miers 
Tony McBurney 	Georgina Valjak 

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSCC-413 – City of Parramatta – DA/1001/2022
2	PROPOSED DEVELOPMENT	Demolition of existing buildings and structures; tree removal and remediation works; construction of temporary club house and associated temporary car parking spaces; construction of seven (7) buildings (2 to 7 storeys) containing 140 independent living units for the purposes of seniors housing (including people with a disability); construction and operation of a new registered club; 399 car parking spaces (200 club, 190 residential, 9 on-street); landscaping and ancillary facilities; and Torrens title subdivision into 2 lots (to separate the site from the golf course land), community title subdivision of site into 16 lots and strata subdivision of the independent living units. The application is Integrated Development under the Rural Fires Act 1997 and Nominated Integrated Development under the Water Management Act 2000.
3	STREET ADDRESS	94 Bettington Road, Oatlands
4	APPLICANT/OWNER	Applicant: Hamptons Property Services Pty Ltd/Mirvac Owner: Oatlands Golf Club
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004</li> <li>State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Buildings and Apartment Design Guide (ADG)</li> <li>State Environmental Planning Policy (BASIX) 2004</li> <li>State Environmental Planning Policy (Transport and Infrastructure) 2021</li> <li>State Environmental Planning Policy (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> </ul> </li> <li>Draft environmental planning instruments: <ul style="list-style-type: none"> <li>Draft Parramatta Local Environmental Plan</li> </ul> </li> <li>Development control plans: <ul style="list-style-type: none"> <li>Parramatta Development Control Plan 2011</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> </ul> <p>The public interest, including the principles of ecologically sustainable development</p>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council Assessment Report: 17 May 2023</li> <li>Council supplementary report received: 26 September 2023</li> </ul>

		<ul style="list-style-type: none"> <li>• Written submissions during public exhibition: 92 during the January/February exhibition period and 42 during the August exhibition period.</li> <li>• Verbal submissions at the public meeting 25 May 2023: <ul style="list-style-type: none"> <li>○ David Rippingill, Jenine Bradburn, Nadil Abboud, Roula Alam, Charlie Alam, Donna Head, Teresa Flockhart, Tim Bourke, Sam Howe</li> <li>○ Council assessment officer – Bianca Lewis, Myfanwy McNally</li> <li>○ On behalf of the applicant – Kristy Hodgkinson, Adrian Checchin, Bel Riviera, Steven De Pasquale, David Hirst</li> </ul> </li> <li>• Verbal submissions at the public meeting 12 October 2023: <ul style="list-style-type: none"> <li>○ Tim Burke, Jenine Bradburn, Sam Howe, Donna Head, Nabil Abboud Roula Alam</li> <li>○ Council assessment officer – Bianca Lewis, Myfanwy McNally</li> <li>○ On behalf of the applicant – Kristy Hodgkinson, Adrian Checchin, Bohan Jones, Nigel Dickson, David Hirst</li> </ul> </li> <li>• Total number of unique submissions received by way of objection: 134</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Kick Off Briefing: 16 March 2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Steve Murray (Acting Chair), Stacey Miers, Tony McBurney</li> <li>○ <u>Council assessment staff</u>: Bianca Lewis, Myfanwy McNally</li> <li>○ <u>Applicant representatives</u>: Kristy Hodgkinson, Adrian Checchin, Bel Riviera, Steven De Pasquale, David Hirst</li> </ul> </li> <li>• Briefing for Deferral: 25 May 2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Steve Murray (Acting Chair), Stacey Miers, Tony McBurney, Sameer Pandey, Michelle Garrard</li> <li>○ <u>Council assessment staff</u>: Bianca Lewis, Myfanwy McNally</li> </ul> </li> <li>• Council/Applicant Briefing: 27 July 2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Steve Murray (Acting Chair), Stacey Miers, Tony McBurney, Georgina Valjak</li> <li>○ <u>Council assessment staff</u>: Bianca Lewis, Myfanwy McNally</li> <li>○ <u>Applicant representatives</u>: Kristy Hodgkinson, Adrian Checchin, Bel Riviera, Steven De Pasquale, David Hirst</li> </ul> </li> <li>• Final Briefing to discuss council recommendation: 12 October 2023 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Steve Murray (Acting Chair), Stacey Miers, Tony McBurney, Georgina Valjak</li> <li>○ <u>Council assessment staff</u>: Bianca Lewis, Alex McDougall</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Attached to this Determination and Statement of Reasons.

## APPENDIX 1 - DRAFT CONDITIONS OF CONSENT (DA/1001/2022)

### Schedule :

### General Matters

#### Planning (General)

#### ***Approved Plans and Supporting Documentation***

1. The development must be carried out in accordance with the plans and documentation listed below, and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

#### Architectural Drawings (Mirvac Design: Project No. 7.946.99999)

Plan No.	Issue	Plan Title	Dated
DA0003	B	Site Plan	23.06.2023
DA020	C	Overall Site Plan	14.07.2023
DA0021	B	Overall Site Elevation	14.07.2023
DA0022	C	Overall Site Sections	14.07.2023
DA0023	B	Overall Site Sections 2	23.06.2023
DA501	C	Basement B2	14.07.2023
DA502	C	Basement B1	14.07.2023
DA1001	D	Level 01 (Ground)	14.07.2023
DA1002	C	Level 02	14.07.2023
DA1003	C	Level 03	14.07.2023
DA1004	C	Level 04	14.07.2023
DA1005	C	Level 05	14.07.2023
DA1006	C	Level 06	14.07.2023
DA1007	C	Level 07	14.07.2023
DA1009	C	Roof Plan	14.07.2023
DA1050	C	Elevations – North & East	17.07.2023
DA1051	C	Elevations – South & West	17.07.2023
DA1052	C	Elevations – Internal	14.07.2023
DA1053	C	Elevations – North & South Townhouses	17.07.2023
DA1054	B	Elevation – B Façade North	17.07.2023
DA1055	B	Elevation – A2 Façade West	17.07.2023
DA1056	B	Elevation – A2 Façade West	17.07.2023
DA1058	C	Elevation – Townhouse Bld A2	17.07.2023
DA1059	B	Section – A2 Bettington Road	17.07.2023
DA1060	C	Sections – North South	14.07.2023
DA1061	C	Sections – West East	14.07.2023
DA1070	B	Building B and A2 Section	17.07.2023
DA1071	B	Building A – Separation	17.07.2023
DA1073	B	Building C – Through Link	23.06.2023
DA1080	A	Section through neighbouring properties Sheet 1	23.06.2023
DA1085	A	Townhouse Detail Section	23.06.2023
DA1800	B	External Finished and Materials	17.07.2023
DA1850	B	Visualisations – Golf Course	17.07.2023



Plan No.	Issue	Plan Title	Dated
DA1851	B	Visualisations – Bettington Road	17.07.2023
DA1852	B	Visualisations	17.07.2023
DA1853	B	Visualisations – Communal Open Space	17.07.2023
DA1854	B	Visualisations – Communal Open Space – Through Link	17.07.2023
DA1855	B	Visualisations	17.07.2023
DA1856	B	Visualisations	17.07.2023
DA1857	B	Visualisations – Rooftop Communal	17.07.2023
DA1858	B	Visualisations – The Boulevard	17.07.2023
DA1859	B	Visualisations – Townhouse & Lane	17.07.2023
DA1860	A	Visualisations – Townhouses	17.07.2023

Civil Drawings (at&l: Project No. 22-1043)

Plan No.	Issue	Plan Title	Dated
DAC101	C	General Notes and Legend	06.07.2023
DAC103	C	General Arrangement Plan Sheet 1	06.07.2023
DAC103A	C	General Arrangement Plan Sheet 2	06.07.2023
DAC105	C	Typical Sections Sheet 1	06.07.2023
DAC106	C	Typical Sections Sheet 2	06.07.2023
DAC108	C	Bulk Earthworks Plan Ultimate Scenario	06.07.2023
DAC111	C	Siteworks and Stormwater Drainage Plan Sheet 1	06.07.2023
DAC112	C	Siteworks and Stormwater Drainage Plan Sheet 2	06.07.2023
DAC113	C	Siteworks and Stormwater Drainage Plan Sheet 3	06.07.2023
DAC114	C	Siteworks and Stormwater Drainage Plan Sheet 4	06.07.2023
DAC115	C	Siteworks and Stormwater Drainage Plan Sheet 5	06.07.2023
DAC116	C	Siteworks and Stormwater Drainage Plan Sheet 6	06.07.2023
DAC117	C	Siteworks and Stormwater Drainage Plan Sheet 7	06.07.2023
DAC118	C	Siteworks and Stormwater Drainage Plan Sheet 8	06.07.2023
DAC121	C	Kerb Setout Plan and Longitudinal Sections Sheet 1	06.07.2023
DAC122	C	Kerb Setout Plan and Longitudinal Sections Sheet 2	06.07.2023
DAC123	C	Kerb Setout Plan and Longitudinal Sections Sheet 3	06.07.2023
DAC124	C	Kerb Setout Plan and Longitudinal Sections Sheet 4	06.07.2023
DAC131	C	Road Longitudinal Sections Sheet 1	06.07.2023
DAC132	C	Road Longitudinal Sections Sheet 2	06.07.2023
DAC133	C	Road Longitudinal Sections Sheet 3	06.07.2023
DAC135	C	Road Cross Sections MC01	06.07.2023
DAC136	C	Road Cross Sections MC02	06.07.2023
DAC141	C	Signage and Line Marking Plan Sheet 1	06.07.2023
DAC142	C	Signage and Line Marking Plan Sheet 2	06.07.2023
DAC145	C	Pavement Plan Sheet 1	06.07.2023
DAC146	C	Pavement Plan Sheet 2	06.07.2023
DAC151	C	Stormwater Drainage Music Catchment Plan Sheet 1	06.07.2023
DAC152	C	Stormwater Drainage Music Catchment Plan Sheet 2	06.07.2023
DAC153	C	Stormwater Drainage OSD Catchment Plan Sheet 1	06.07.2023
DAC154	C	Stormwater Drainage OSD Catchment Plan Sheet 2	06.07.2023

Plan No.	Issue	Plan Title	Dated
DAC155	C	Stormwater Drainage OSD 1 Roof Plan	06.07.2023
DAC156	C	Stormwater Drainage OSD 1 Base Plan	06.07.2023
DAC157	C	Stormwater Drainage OSD 1 Sections and Details	06.07.2023
DAC158	C	Stormwater Drainage OSD 2 Roof Plan	06.07.2023
DAC159	C	Stormwater Drainage OSD 2 Base Plan	06.07.2023
DAC160	C	Stormwater Drainage OSD 2 Sections and Details	06.07.2023
DAC161A	B	Stormwater Drainage OSD 3 Roof Plan	06.07.2023
DAC161B	B	Stormwater Drainage OSD 3 Base Plan	06.07.2023
DAC161C	B	Stormwater Drainage OSD 3 Sections and Details	06.07.2023
DAC162A	B	Stormwater Drainage Bio-Retention Basin 1 Plan	06.07.2023
DAC162B	B	Stormwater Drainage Bio-retention Basin 1 Sections and Details	06.07.2023
DAC163	C	Stormwater Drainage Pit Catchment Plan Sheet 1	06.07.2023
DAC164	C	Stormwater Drainage Pit Catchment Plan Sheet 2	06.07.2023
DAC165	C	Stormwater Drainage Pit Catchment Plan Sheet 3	06.07.2023
DAC166	C	Stormwater Drainage Longitudinal Sections Sheet 1	06.07.2023
DAC167	C	Stormwater Drainage Longitudinal Sections Sheet 2	06.07.2023
DAC168	C	Stormwater Drainage Longitudinal Sections Sheet 3	06.07.2023
DAC169	C	Stormwater Drainage Longitudinal Sections Sheet 4	06.07.2023
DAC171	C	Erosional and Sediment Control Plan Earthworks Stage Sheet 1	06.07.2023
DAC172	C	Erosion and Sediment Control Plan Earthworks Stage Sheet 2	06.07.2023
DAC173	C	Erosion and Sediment Control Plan Excavation Stage	06.07.2023
DAC175	C	Erosion and Sediment Control Plan Details Sheet 1	06.07.2023
DAC176	C	Erosion and Sediment Control Plan Details Sheet 2	06.07.2023
DAC181	C	Sitework Details Sheet 1	06.07.2023
DAC182	C	Sitework Details Sheet 2	06.07.2023
DAC183	C	Sitework Details Sheet 3	06.07.2023
DAC185	C	Stormwater Drainage Details Sheet 1	06.07.2023
DAC186	C	Stormwater Drainage Details Sheet 2	06.07.2023
DAC187	C	Stormwater Drainage Details Sheet 3	06.07.2023
DAC188	C	Stormwater Drainage Details Sheet 4	06.07.2023
DAC190	C	Public Domain Setout Plan and Longitudinal Sections MK01	06.07.2023
DAC191	C	Public Domain Setout Plan and Longitudinal Sections MK12	06.07.2023
DAC192	C	Public Domain Setout Plan and Longitudinal Sections MK05	06.07.2023
DAC193	C	Public Domain Setout Plan and Longitudinal Sections MK12 & MK14	06.07.2023
DAC195	C	Public Domain Cross Sections MK01	06.07.2023
DAC196	C	Public Domain Cross Sections MK12	06.07.2023
DAC197	C	Public Domain Cross Sections MK05	06.07.2023
DAC198	C	Public Domain Cross Sections MK13	06.07.2023
DAC200	C	Easement Plan & Long Sections Sheet 1	06.07.2023
DAC201	C	Easement Plan & Long Sections Sheet 2	06.07.2023

Plan No.	Issue	Plan Title	Dated
DAC202	C	Easement Plan & Long Sections Sheet 3	06.07.2023
DAC203	C	Easement Plan & Long Sections Sheet 4	06.07.2023
DAC204	C	Easement Plan & Long Sections Sheet 5	06.07.2023
DAC205	C	Easement Plan & Long Sections Sheet 6	06.07.2023
DAC300	A	Retaining Wall Structural Notes	06.07.2023
DAC301	A	Retaining Wall Typical Details Sheet 1	06.07.2023
DAC302	A	Retaining Wall Typical Details Sheet 2	06.07.2023
DAC303	A	Retaining Wall Typical Details Sheet 3	06.07.2023
DAC310	A	Retaining Wall Control Plan and Longitudinal Sections	06.07.2023

Draft Plan of Subdivision (Beveridge Williams)

Plan No.	Issue	Plan Title	Dated
2202042 DSUB_ver.G	G	Proposed Subdivision of Lot 100 DP 1243044 Sheet 1 of 2	28.07.2023
2202042 DSUB_ver.G	G	Proposed Subdivision of Lot 100 DP 1243044 Sheet 2 of 2	28.07.2023
2202042- DSTR	D	Plan of Subdivision of Lot 1010 in DP...- Basement Level 3 and below (Sheet 1 of 6)	23.11.22
2202042- DSTR	D	Plan of Subdivision of Lot 1010 in DP...- Basement Level 2 (Sheet 2 of 6)	23.11.22
2202042- DSTR	D	Plan of Subdivision of Lot 1010 in DP...- Basement Level1 (Sheet 3 of 6)	23.11.22
2202042- DSTR	D	Plan of Subdivision of Lot 1010 in DP...-Ground Level 1 (Sheet 4 of 6)	23.11.22
2202042- DSTR	D	Plan of Subdivision of Lot 1010 in DP...- Level 2 (Sheet 5 of 6)	23.11.22
2202042- DSTR	D	Plan of Subdivision of Lot 1010 in DP...-Ground Level 3 and Above (Sheet 6 of 6)	23.11.22

Landscape Drawings (Sturt Noble Associates)

Plan No.	Issue	Plan Title	Dated
DA-2230-01	F	Landscape Context Plan	21.07.2023
DA-2230-04	F	Ground Floor Precedent Images 1	21.07.2023
DA-2230-05	F	Ground Floor Precedent Images 2	21.07.2023
DA-2230-06	F	Ground Floor Precedent Images 3	21.07.2023
DA-2230-07	F	Ground floor Precedent Images 4	21.07.2023
DA-2230-09	F	Public Domain Plans	21.07.2023
DA-2230-18	F	Ground Level Landscape Plan 9	21.07.2023
DA-2230-19	F	Ground Level Landscape Plan 10	21.07.2023
DA-2230-20	F	Tree Schedule and Images	21.07.2023
DA-2230-21	F	Plant Schedule and Plant Images 01	21.07.2023
DA-2230-22	F	Plant Schedule and Plant Images 02	21.07.2023
DA-2230-23	F	Landscape Sections 01	21.07.2023
DA-2230-24	F	Landscape Sections 02	21.07.2023
DA-2230-25	F	Landscape Sections 03	21.07.2023
DA-2230-	F	Typical Landscape Details 01	21.07.2023

Plan No.	Issue	Plan Title	Dated
D01			
DA-2230-D02	F	Typical Landscape Details 02	21.07.2023
DA-2230-D03	F	Typical Landscape Details 03	21.07.2023
DA-2230-D04	F	Typical Landscape Details 04	21.07.2023
DA-2230-D05	F	Typical Landscape Details 05	21.07.2023

Golf Course Make Good Works (at&I) Civil and Structural Engineers

Plan No.	Issue	Plan Title/Document	Dated
		Golf Course Make Good Works – Additional Information	20.07.23
22-1043-SKC004	P1	Golf Course Post Development Plan 12 <sup>th</sup> Hole	18.07.23
22-1043-SKC003	P2	Existing Golf Course Irrigation Plan	20.07.23

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Civil Stormwater Management Report	22-1043	C	At&I	June 2023
Noise and Vibration Impact Assessment	P00377	006	E-Lab Consulting	28 July 23
Construction Noise and Vibration Management Plan	P00377	004	E-Lab Consulting	28 July 23
Operational Waste Management Plan	4485	E	Elephants Foot consulting	28 July 23
Pedestrian Wind Environment Statement	WH339-01F03	4	Windtech	14 July 23
Solar Light Reflectivity Study	WH339-01F02	2	Windtech	11 July 23
Access Review	-	2	MGAC	5 Dec 22
Plan of Management	2022032	7	Hamptons Property Services	11 Nov 22
Heritage Impact Statement	5783	5	Weir Phillips Heritage and Planning	2 Dec 22
Detailed Site Investigation	63713/150192	-	JBS&G Australia	26 June 2023
Bushfire Assessment report	220328B	-	Building code & Bushfire Hazard Solutions	14 Nov 22
BCA Report	RE220568	04	City Plan	29 Nov 22
Arboricultural Impact Assessment	L&Co22022	3.1	L&Co	30 Nov 22
Amended Arboricultural Impact Assessment Report	ARB-2230-001	B	Sturt Noble Arboriculture	13 June 23
Flora and Fauna Assessment Report	22SYD 3747	4	EcoLogical	5 Dec 22
ESD Report	P00377	006	E-Lab	6 Dec 22

			Consulting	
Geotechnical Report	200032.00	4	Douglas Partners	7 Dec 22
Revised Traffic and Parking Assessment Report	22094	2	CJP Consulting Engineers	13 July 23

**Note:** In the event of any inconsistency between the architectural plans, landscape plans, stormwater disposal plans or photomontages, the architectural plans shall prevail to the extent of the inconsistency.

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

***Building Work in Compliance with BCA***

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

**Reason:** To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2021.

***Construction Certificate***

3. Prior to commencement of any construction works associated with the approved development (including excavation), 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.

***No encroachment on Council and/or Adjoining Property***

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

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

***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 259(2)(c) of the Occupational Health and Safety Regulation 2001.
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (i) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (j) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (k) 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.
- (l) Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.
- (m) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (n) Before demolition works begin, adequate toilet facilities are to be provided.
- (o) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (p) Within 14 days of completion of demolition, the applicant must submit to Council:
  - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
  - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
  - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

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

#### ***Resolution of Temporary Uses***

6. The temporary club must be demolished, with landscaping reinstated, within 6 months of the date of the Occupation Certificate being issued for the new club.

The car park must be demolished, with landscaping reinstated, within 6 months of the issue of the final Occupation Certificate.

Notwithstanding the above, the temporary club house and associated car park must be demolished, and landscaping reinstated, within 5 years of the issue of the first construction certificate.

The landscape reinstatement referred to above must be consistent with the document and plans 'Golf Club Make Good Works' prepared by at&I listed in Condition 1.

**Reason:** To ensure temporary uses are resolved within a timely manner.

**Long Service Levy**

7. Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy 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](http://www.longservice.nsw.gov.au). For more information, please contact the Levy support team on 13 14 41.

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

**Payment of Security Deposits**

8. 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
Development Site Bonds	\$25,700
Street Tree	\$2,410/tree
Street Furniture	\$2,410/item
Hoardings	\$3,170 (Class A) \$6,330 (Class B)

The payments will be used for the cost of:

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

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

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

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/1001/2022;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

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

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

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

#### **Development Contributions**

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

<b>Contribution Type</b>	<b>Amount</b>
Open space and outdoor recreation	\$1,776,822.86
Indoor sports courts	\$160,864.21
Community facilities	\$211,571.04
Aquatic facilities	\$49,308.30
Traffic and transport	\$514,358.54
Plan administration	\$26,748.06
<b>Total</b>	<b>\$2,739,673.01</b>

The total contribution payable to Council under this condition is \$2,739,673.01 as calculated at the date of this consent, in accordance with City of Parramatta (Outside Parramatta CBD) Contributions Plan 2021.

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 Parramatta CBD) Contributions Plan 2021.

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

#### Engineering (General)

##### ***Groundwater Management***

10. Any submission made in support of this Consent or the Construction Certificate(s) must be consistent with Council's "Groundwater Management Guidelines" which contain requirements that applicants must address as part of the development assessment process.

**Reason:** To ensure compliance with the relevant guidelines.

##### ***Groundwater Requirements***

11. The Landowner shall:
- protect and/or improve groundwater quality, flows and drainage patterns during demolition, construction and ongoing operation phases of a development;
  - control and regulate groundwater usage in a sustainable manner;
  - ensure that long term protection of groundwater quality is an essential consideration for all of the development;
  - ensure Council stormwater drainage infrastructure is not used for the discharge of ground water except where permitted during construction;
  - ensure adequate treatment of groundwater prior to discharge and/or re-use of groundwater; and
  - avoid or minimise interception of groundwater.

**Reason:** To ensure groundwater is satisfactorily dealt with.

##### ***Groundwater Discharge 1***

12. Discharge of groundwater into council stormwater infrastructure is not permitted post-development.



**Reason:** To ensure groundwater is satisfactorily discharged.

***Groundwater Discharge 2***

13. Council may permit discharge of managed groundwater into Council's drainage system only during construction, for a specified period of time, and provided certain safeguards are met, including as follows:
- a) Operating practices and technology including dewatering shall not contaminate groundwater or adversely impact adjoining properties and infrastructure.
  - b) Council infrastructure can accommodate anticipated groundwater volumes over the period of construction.
  - c) Council requires the preparation of a Construction Environmental Management Plan
  - d) (CEMP) to support any Construction Certificate which will include management, storage, monitoring, treatment and disposal of groundwater in the construction phase. Such a CEMP will also seek to mitigate other environmental impacts of construction including those required to be addressed by Council and other Government Agencies. The CEMP must be consistent with Council's 'Groundwater Management Guidelines' and 'Minimum requirements for building site groundwater investigations and reporting', NSW DPIE 2021 and any other necessary approvals and licences. The CEMP must be submitted to Council and approved by the Group Manager DTSU prior to release of any Construction Certificate.

**Reason:** To ensure groundwater is satisfactorily discharged.

***Basement Tanking***

14. The perimeter walls and floor of the basement shall be constructed using a "Tanked Construction" method, to prevent any flood and ground waters seeping through the basement walls and floor base. This must be provided using a diaphragm wall and membrane or other approved form of construction and not through permanent draining of the basement structure.

The landowner shall manage groundwater inflows and outflows during construction and thereafter in perpetuity, including monitoring, to ensure all of the requirements of the Water NSW/DPE Water are satisfied and that there are no adverse effects on the environment and public health, including water table levels, surface and groundwater flow regimes, contamination and pollution, flooding, water quality and structural stability.

Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to release of relevant Construction Certificate.

**Reason:** Protection of the environment and public health.

Landscape (General)

***Tree Retention***

15. Trees to be retained as a minimum are:- 1, 3, 5, 6, 9, 11, 12, 13, 14, 17, 24, 27, 31, 36-38, 42-45, 48-50, 52, 53, 56-77, 80, 83-89, 94-95, 101-103, 105-110 as listed in the Tree Assessment Schedule of the Arboricultural Impact Assessment prepared by L&Co dated 30 November 2022.

Existing trees to be retained and protected will require the installation of specific tree protection measures and works within the TPZ to be over-seen by the Project arborist to ensure they are adequately retained and protected throughout the development. All plans are to be coordinated with the Project Arborists recommendations. Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to release of relevant Construction Certificate.

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

***Temporary Car Park***

16. The temporary car park shall comprise of porous, permeable material for the parking bays and impermeable material for the trafficable aisles.

Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to release of relevant Construction Certificate.

**Reason:** to provide for the infiltration of water to the water table, minimise run-off and assist with existing tree retention.

#### Open Space (General)

##### **Gate Access**

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

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

##### **Vehicular Access to Reserve**

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

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

#### Crime Prevention (General)

##### **Crime prevention**

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

- (a) Security and access control systems to be provided to private residential areas or communal facilities not open to the public. This includes in the basement to distinguish between the residential and golf club parking areas to prevent unauthorised access to private basement parking and basement storage areas;
- (b) Implement a CCTV system to provide 24/7 surveillance of all building entry and exit points (including car park entry and exit) and mail box area, and publicly accessible areas. The CCTV system operated by the complex should comply with Australian Standard AS/NZS 62676-20206. Images should be retained for a minimum of 30 days before deletion.
- (c) Wayfinding measures within parking levels;
- (d) Internal and external lighting to Australian Standards.
- (e) Fire exit doors should be fitted with measures to restrict unauthorised access.
- (f) A 'swipe' card system or the like shall be used to control access to all service areas.
- (g) Letterboxes shall be provided with individualised locks and be located inside each building (excluding the townhouses);
- (h) Intercom facilities should be incorporated into entry/exit points to enable residents to communicate and identify with people prior to admitting them to the development.
- (i) If any basement storage compartments are provided for residents of the development, they must, subject to compliance with fire safety standards, be secure, with solid, opaque walls and door and fitted with an individualised key lock.
- (j) The recommendations of the Crime Prevention Through Environmental Design report submitted as part of the development application be adopted and implemented in the development.

**Reason:** To ensure safety and amenity for future occupants and visitors to the site.

#### Environmental Health (General)

##### **Non-Friable Asbestos Containing Materials**

20. Non- friable ACM has been identified in various forms throughout the site, prior to the demolition of the structures it is recommended that the following work is undertaken:
- A class A or Class B licenced asbestos removalist shall be engaged to remove all asbestos containing materials as identified in the Hazardous Materials Register( Appendix A).
  - Removal and disposal of non -friable asbestos materials shall be undertaken in accordance with the *Work Health and Safety Act* (2011), *Work Health and Safety Act Regulations* (2017) and SWNSW 2019a

While not mandatory during the removal of non-friable ACM, it is considered best practice that asbestos air monitoring is also undertaken by the independent LAA during all non- friable asbestos removal works.

**Reason:** To ensure compliance with relevant contamination measures.

#### ***Asbestos Clearance Certification 1***

21. Following completion of asbestos removal works within the structure, a clearance inspection shall be undertaken by the independent LAA to ensure that all asbestos containing materials identified in the Hazardous Materials Register (Appendix A) have been removed to a satisfactory industry standard prior to demolition works commencing.

**Reason:** To ensure compliance with relevant contamination measures.

#### ***Asbestos Clearance Certification 2***

22. Following the completion of the clearance inspection, a clearance certificate shall be issued by the LAA to confirm that the identified non-friable ACM has been successfully removed and the structure is suitable for proposed demolition works to commence.

**Reason:** To ensure compliance with relevant contamination measures.

#### ***Lead Containing Dust***

23. Elevated lead levels were identified within ceiling cavity to the eastern portion of the structure building, due to the minor level of elevated lead detected, it is recommended that all ground workers wear P2 respiratory protection during demolition activities of these structures. Plant operators must also keep cabin doors closed and air conditioning set to recycle during the completion of demolition of these structures. Care should also be taken to minimise dust generation during demolition activities.

**Reason:** To ensure compliance with relevant contamination measures.

#### ***Lead Based Paints***

24. The lead-based paint, identified within the male change room as identified in Hazardous Materials Register (Appendix A), were observed to be in good condition and should be managed in accordance with the AS4361.2-2017. If peeling or deteriorated is observed prior to demolition they should be removed under controlled conditions by an experienced contractor prior to demolition in accordance with NSW EPA 2014. Stable lead based paints adhered to building fabric can be disposed as general solid waste in accordance with NSW EPA 2014 provided care is taken to minimise any potential for paint flakes to be dispersed onto ground surfaces and building and demolition waste is not proposed to be recycled

**Reason:** To ensure compliance with relevant contamination measures.

#### ***Polychlorinated Biphenyls***

25. All old fluorescent light fittings throughout the site are to be treated as containing PCB capacitors unless further investigation confirms otherwise. These light fittings should be removed and disposed of as Scheduled Waste or re-inspected once safe access can be provided to confirm the presence or absence of PCB capacitors.

**Reason:** To ensure compliance with relevant contamination measures.

#### ***Synthetic Mineral Fibres***

26. The synthetic mineral fibres encountered during this inspection were generally contained and deemed to be low risk. These SMF materials can be removed with the building and demolition waste with care taken not to generate fibres. Appropriate PPE is recommended including the use of P2 respirator as minimum and appropriate removal methodology as outlined in [NOHSC: 1004(1990)] and [NOHSC: 2006(1990)].

**Reason:** To ensure compliance with relevant contamination measures.

#### ***Air Monitoring***

27. Air monitoring results and clearance certificates shall be provided at regular intervals (minimum weekly) by the Demolition Contractor to Mirvac during any hazardous material removal and remediation phases should they be necessary.

**Reason:** To ensure compliance with relevant contamination measures.

#### ***Certification Requirements***

28. All certification shall be provided by a NATA accredited consultant. Construction works will not commence until all relevant hazardous materials clearance certificates have been received.

**Reason:** To ensure compliance with relevant contamination measures.

**Inaccessible Areas**

29. Areas inaccessible during the current HBMS should be inspected by a suitably qualified competent person prior to any works commencing. Suspected ACM should be sampled by a suitably qualified competent person prior to any works commencing.

**Reason:** To ensure compliance with relevant contamination measures.

**Unexpected Finds**

30. Any materials deemed to be consistent with those detailed in the Hazardous Materials Register that have not been previously identified should be assumed to have the same content and be treated accordingly. Should any additional suspected hazardous materials be observed during or prior to demolition works, works should cease until a suitably qualified occupational hygienist can assess the suspected hazardous material and provide appropriate recommendations for management and/or removal.

**Reason:** To ensure compliance with relevant contamination measures.

**Remediation Action Plan**

31. A Remediation Action Plan detailing the methods proposed to remediate the site suitable for the proposed use. The Remedial Action Plan should be prepared in accordance with the requirements of "Managing Land Contamination Planning Guidelines".

A site audit statement reviewing the Remediation Action Plan (RAP) is to be prepared by an independent NSW EPA accredited auditor for contaminated land. This site audit statement is to be submitted with the RAP.

**Reason:** To ensure compliance with relevant contamination measures.

**Validation Report**

32. A validation report prepared by a suitably qualified person shall be provided to the Certifying Authority and Council within 30 days following completion of the remediation works, which demonstrates:

- a. Compliance with the approved RAP;
- b. The remediation acceptance criteria (in the approved RAP) has been fully complied with;
- c. All remediation works undertaken comply with the contaminated lands planning guidelines, *Contaminated Lands Management Act 1997*, SEPP 55 and Council's Management of Contaminated Lands Policy and includes:
  - Works-As-Executed Plan(s) that identify the extent of the remediation works undertaken (that includes any encapsulation work) prepared by a registered surveyor;
  - A "notice of completion of remediation work" as required under Clause 18 of SEPP 55; and
  - A statement confirming that the site following remediation of contamination is suitable for the intended use.

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

**Site Audit Statement**

33. Following the preparation of the validation report, Council requires the applicant to engage an accredited auditor under the *Contaminated Land Management Act 1997* to review the Validation Report prepared by the contaminated land consultant and issue a Site Audit Statement. The accredited auditor shall consult with Council (to the extent required or permitted under the *Contaminated Land Management Act 1997*) prior to finalising and issuing the Site Audit Statement. The Site Audit Statement should allow for soil access to occur to ground level courtyards and communal open space areas within the development. The accredited auditor shall provide Council with a copy of the Site Audit Report and Site Audit Statement, prior to the issuing of the Occupation Certificate. In circumstances where the SAS conditions (if applicable) are not consistent with the consent, the consent shall prevail to the extent of the inconsistency and a Section 4.55 Modification Application or further Development Application pursuant to the *Environmental Planning and Assessment Act 1979* will be required.

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

**Reason:** To ensure compliance with relevant contamination measures.

***Hazardous/intractable waste disposed legislation***

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

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

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

***Imported fill***

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

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

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

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

***Signage – Contamination***

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

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

***Requirement to notify about new contamination evidence***

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

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

***Contaminated waste to licensed EPA landfill***

38. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

**Reason:** To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

***Remediation***

39. All remediation works shall be carried out in accordance with clauses 4.14 and 4.15 of State Environmental Planning Policy (Resilience and Hazards) 2021.

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

***Requirement for Trade Waste Agreement***

40. A trade waste agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'.

Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund.

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

#### ***Acoustic Measures***

41. A qualified acoustic consultant should be engaged during the design phase of the project, when details of mechanical plant and equipment and noise emission levels are available, to review the potential environmental noise impact from the development.

Mitigation measures should be incorporated into the development to ensure that the environmental noise assessment objectives recommended in the specialist report are achieved.

**Reason:** To ensure proper acoustic mitigation.

### Waste Management (General)

#### ***Waste facilities in Mixed Use Developments***

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

#### ***Amenity of waste storage areas (general)***

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

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

#### ***Garbage Chutes***

44. Any garbage chutes must be designed in accordance with the requirements of the Building Code of Australia and the NSW EPA's *Better Practice Guide for Resource Recovery in Residential Developments* (2019). Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.

**Reason:** To ensure waste conveyance equipment is appropriately designed and managed. Recycled materials can easily clog chute systems.

#### ***Waste storage room on premises***

45. A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) including:
- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types and bulky materials;
  - (b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
  - (c) The walls being cement rendered to a smooth, even surface and coved at all intersections;
  - (d) Cold water being provided in the room with the outlet located 1.5m above floor level to avoid damage and a hose fitted with a nozzle being connected to the outlet;
  - (e) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

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

#### ***Separate waste bins for general, recycling and FOGO.***

46. Separate waste bins are to be provided on site for recyclable waste and Food Organics Garden Organics.

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

#### Endeavour Energy (General)

##### ***Endeavour Energy Response***

47. The applicant is to ensure compliance with the comments provided by Endeavour Energy in their correspondence dated 23 December 2022 and 22 February 2023.

**Reason:** To ensure compliance with the requirements of Endeavour Energy.

#### Sydney Water (General)

##### ***Sydney Water Response***

48. The applicant is to ensure compliance with the comments provided by Sydney Water in their correspondence (Ref: 202571 dated 16 August 2023).

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

#### Rural Fire Service (General)

##### ***RFS General Terms of Approval***

49. The applicant is to ensure compliance with the General Terms of Approval provided by RFS (Ref: DA20221222012459-CL55-1 dated 2 August 2023)

**Reason:** To ensure compliance with the General Terms of Approval provided by RFS.

#### WaterNSW (General)

##### ***WaterNSW General Terms of Approval***

50. The applicant is to ensure compliance with the General Terms of Approval provided by WaterNSW (Ref: IDAS1147160 dated 26 April 2023) as well as further comments provided on 18 August 2023 (Ref: IDAS1150420).

**Reason:** To ensure compliance with the General Terms of Approval provided by WaterNSW.

#### **Prior to 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.)

#### Planning (Prior to CC)

##### ***Home Warranty Insurance***

51. Residential building work, within the meaning of the Home Building Act 1989, must not be carried out unless the Certifying Authority for the development to which the work relates fulfils the following:

- (a) In the case of work to be done by a licensee under the Home Building Act 1989; has been informed in writing of the licensee's name and contractor licence number; and is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989, or
- (b) In the case of work to be done by any other person; has been informed in writing of the person's name and owner-builder permit number; or has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

**Note:** A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purpose of that Part

is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

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

***Infrastructure & Restoration Administration Fee***

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

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

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

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

***No External Service Ducts***

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

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

***Single Master TV Antenna***

54. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed on the 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. The connections are to be operational prior to the issue of any Occupation Certificate.

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

***SEPP 65 Verification***

55. 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.

***Construction Noise Management Plan***

56. 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.

***Construction Site Management Plan***

57. 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



- provisions for public safety
- pedestrian and vehicular site access points and construction activity zones
- 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
- 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)
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- 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

#### ***Waste Management Plan***

58. 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
- an estimate of the waste (type and 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 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.

#### ***Energy Provider Requirements for Substations***

59. 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.

Regardless of the drawings listed in Condition 1, the applicant must consult with Council in relation to an alternative location for the substation, including located internally within buildings or fully located behind the Bettington Road frontage and not within vegetated landscaped areas along the property boundary, having regard to Endeavour Energy requirements and Council's preference for substations not to be permitted within Council's road reserve.

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

#### ***Specialist Reports***

60. The works/methods/procedures/control-measures/recommendations in the specialist reports outlined in Condition 1 shall be incorporated into the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Certifying Authority. A list of all of the recommendations and how they have been actioned shall be provided to Council.

**Reason:** To ensure the development is implemented as proposed.

### **Obscure Glazing**

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

**Reason:** To ensure privacy to adjoining sites is adequately maintained.

### **Privacy Screening**

62. Privacy screen/louvers to a height of 1.8m above finished floor level, angled to prevent direct views into the adjoining childcare play space, are to be erected for the full width of the Level 1 and Level 2 balconies on the southern elevation of Townhouses TH04 and TH05. This requirement is to be indicated on amended plans and submitted to the satisfaction of the Principal Certifying Authority prior to the issue of a Construction Certificate that permits the construction of Townhouses TH04 and TH05.

**Reason:** To ensure privacy to adjoining child care centre is adequately maintained.

### **Access and Services for People with Disabilities 1**

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

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

### **Access and Services for People with Disabilities 2**

64. Access and services for people with disabilities shall be provided to the 'affected part' of the building, in accordance with the requirements of Schedule 3 '*Standards concerning accessibility and useability for hostels and self-contained dwellings*' in State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 and the recommendation contained in the MGAC Access Review Report.

Detailed plans, documentation and specification must accompany each application for a Construction Certification to the satisfaction of the Certifying Authority.

**Reason:** To ensure the provision of equitable and dignified access for all people in accordance with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

### **Installation of Lifts**

65. A lift must be provided in each townhouse. Detailed demonstrating compliance are to be submitted to the Principal Certifying Authority prior to issue of the relevant Construction Certificate.

**Reason:** To ensure the provision of equitable and dignified access for all people.

### **Location of Plant**

66. Prior to the issue of the relevant Construction Certificate, the Certifying Authority must be satisfied that all plant and equipment (including but not limited to air condition equipment) is located within the basement or screened on the roof, except as explicitly shown otherwise on the approved drawings.

**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, improved visual appearance and amenity for locality.

### **Location of Mains Services**

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

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

***External Walls and Cladding Flammability***

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

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

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

***Reflectivity of External Finishes***

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

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

***Ventilation***

70. The proposed ventilating skylights located in the uppermost level of Buildings B and C shall be designed so that their Effective Open Area is equal to at least 2.5% of the gross floor area served. Effective Open Area shall be calculated as per the definition in the NSW Apartment Design Guide. Details must accompany the relevant Construction Certificate to the satisfaction of the Principal Certifying Authority.

**Reason:** To provide natural cross ventilation and reduce reliance on mechanical cooling.

***Sustainability***

71. Prior to the issue of the relevant Construction Certificate(s), the following must be demonstrated, to the satisfaction of the Principal Certifying Authority:

- a) The residential buildings are to be delivered as all-electric buildings and must not be connected to the natural gas network.
- b) Minimum 85kW Solar Power Array to be supplied across the townhouses and apartment dwellings.
- c) Rainwater collection and reuse is to be installed, with a storage capacity of a minimum of 46kL for on-site water reuse.
- d) Water efficient fixtures and fittings must be used throughout. Minimum WELS rating of 4 star for toilets, 5 star for tapware, 6 star for urinals, and 3/4 star (equal or less than 7.5 l/min) for showers are required.
- e) Selection of low-damage and low-toxicity materials, including FSC-Certified Timbers, GECA, GreenRate and other recognised scheme selections for finishes inside the apartments. Best-Practice PVC – all cables, pipes, flooring and blinds will be selected and specified to be Best Practice PVC. This ensures upstream performance will be met and has significant benefit for the overall environment during the construction process. .

The development is to then be completed in accordance with the plans/reports approved to satisfy this condition.

**Reason:** To ensure the development complies with the ESD requirements.

### ***Vehicular Entrance Materials***

72. The full extent of the walls along the driveway entrance, between the street frontage and the roller shutter, shall be rendered (if blockwork) and painted in a colour in keeping with the approved materials palette. Details demonstrating compliance shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

**Reason:** To reduce the visual impact of the driveway opening.

### **Heritage (Prior to CC)**

#### ***Archival Recording – Existing Golf Clubhouse***

73. Prior to the commencement of any works on site, the Principal Certifier shall be satisfied that an Archival Report has been prepared for Oatlands Golf Clubhouse, 94 Bettington Road, Oatlands.

The report must be a bound A4 report, prepared by a recognised NSW Heritage Office heritage consultant and must contain the following minimum requirements:

- title page
- statement of reasons the recording was made
- outline history of the item (including title records, subdivision plans, water and sewerage plans and any archival documents such as family records, old photographs, etc)
- statement of a heritage significance (to accepted Heritage Council criteria)
- specialised reports such as heritage assessments, dilapidation report, and builders or engineers reports
- location plan showing relationship of site to nearby area
- site plan to scale (1:200 - 1:500) showing all structures and site elements
- measured drawing including site survey, floor plans, all elevations, roof plan and one cross section (1:00)
- drawings of specific interiors or details nominated by Council's Heritage Advisor
- room inventories noting materials, profile of nominated decorative elements (1:2) and nominated by Council's Heritage Advisor
- archival quality colour photographs, contact prints, and selected prints (one copy of contact sheets and selected prints)
- digital images and archival quality DVD, CD or USB may be submitted as supplementary information.

All photographs in the report are to be mounted, labelled and cross-referenced to the relevant site plan and floor plans and showing position of camera. A photographic recording sheet must be included. Photographs of the following must form part of the archival report:

- each elevation
- each interior room
- photographs of specific details nominated by Council's Heritage Advisor
- all structures on site, such as sheds, outhouses and significant landscape features
- several photographs of house from public streets or laneways including several views showing relationship to neighbouring buildings

Two copies of the report must be submitted to Council's DTSU Manager. A written acknowledgment from Council's DTSU Manager must be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifier prior to the commencement of any works.

**Reason:** To ensure the preservation and proper management of significant elements, including the Burley Griffin knitlock construction system, through comprehensive historical recording prior to any demolition being undertaken.

#### ***Archival Recording – Setting of Oatlands House***

74. Prior to the commencement of any works on site, the Principal Certifier shall be satisfied that an Archival Report has been prepared for the affected part of the Oatlands House setting, 42 Bettington Road, Oatlands, as follows:

The report must be a bound A4 report, prepared by a recognised NSW Heritage Office heritage consultant and must contain the following minimum requirements:

- title page
- statement of reasons the recording was made
- outline history of the item (including title records, subdivision plans, water and sewerage plans and any archival documents such as family records, old photographs, etc)
- statement of a heritage significance (to accepted Heritage Council criteria)
- specialised reports such as heritage assessments, dilapidation report, and builder or engineer's reports
- location plan showing relationship of site to nearby area
- site plan and site elevations to scale (1:500) showing all structures and site elements and extending from the curtilage of Oatlands House to Bettington Road
- archival quality colour photographs, contact prints, and selected prints (one copy of contact sheets and selected prints) focussing on Oatlands House's setting within the wider landscape.
- digital images and archival quality DVD, CD or USB may be submitted as supplementary information.

All photographs in the report are to be mounted, labelled and cross-referenced to the relevant site plan and floor plans and showing position of camera. A photographic recording sheet must be included. Photographs of the following must form part of the archival report:

- each elevation
- all structures on site, such as sheds, outhouses and significant landscape features
- several photographs of house from public streets including several views showing relationship to subject development site and Oatlands Golf Course.

Two copies of the report must be submitted to Council's DTSU Manager. A written acknowledgment from Council's DTSU Manager must be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifier prior to the commencement of any works.

**Reason:** To ensure a record of the existing setting of Oatlands House is undertaken via comprehensive historical recording prior to any alteration to its setting being undertaken.

#### ***Landscape Plan – Heritage***

75. Prior to the issue of a Construction Certificate, a revised landscape plan be amended as follows:

- The proposed screening vegetation directly adjacent to Oatlands House as shown in Sturt Noble Associates Amended Landscape Plans listed in Condition 1 is to be removed from the proposal;
- The retention of all cultural vegetation of significance to Oatlands House within Oatlands Golf Course as identified in GML Conservation Management Plan;
- The final landscape plan must be reviewed by an expert in cultural/heritage landscapes and be developed in accordance with the GML Conservation Management Plan.

A written acknowledgment from Council's DTSU Manager must be obtained (attesting to this condition being appropriately satisfied) and submitted to the Principal Certifier prior to the commencement of any works.

**Reason:** To ensure the heritage significance of Oatlands House and its setting is respected.

#### Engineering (Prior to CC)

##### ***Stormwater Disposal***

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

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

### ***Retaining Walls***

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

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

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

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

### ***Sydney Water Quick Check***

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

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

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

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

### ***Dial Before You Dig***

79. 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.

### ***Basement Carpark***

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

- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
- (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
  - (i) The permissible site discharge (PSD) rate; or
  - (ii) The rate of inflow for the one hour, 5 year ARI storm event.
- (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- (d) A 100 mm freeboard to all parking spaces.
- (e) Submission of full hydraulic details and pump manufacturers specifications.
- (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

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

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

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

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

- The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the following Stormwater Plans approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On-Site Detention Handbook (Third or Fourth Edition), the relevant approved stormwater plans, Australian Standards and the National Construction Code.
  - Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.
  - Emergency overflow route to be provided to the trunk drainage.
  - Certificate from a registered structural engineer certifying the structural adequacy of the OSD tank structure.
  - The bypass pits for all OSD proposed on site must be clear of any building, structure and should not be beneath habitable floor spaces.
  - All building must achieve 200mm freeboard from OSD tanks
- Reason:** To minimise the quantity of stormwater run-off from the site, surcharge from the existing drainage system, and to manage downstream flooding.

***Underground electricity supply***

82. Electricity provision within the site is to be designed so that in the future the electrical connection from this site can be made to an underground connection within the street. Certification from an energy provider addressing their requirements for this provision is to be forwarded to the Certifying Authority with the application for a Construction Certificate.
- Reason:** To enable future upgrading of electricity services.

***Shoring for adjoining Council property***

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

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

84. All works associated with the construction and/or extension of a driveway crossover/layback within Council owned land requires an application to be lodged and approved by Council prior to the issue of the relevant Construction Certificate.

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

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

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

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

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

### ***Exhaust fumes***

85. All mechanical exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1 - 2015 – ‘The use of ventilation and air conditioning in buildings’ – ‘Fire and smoke control in multi-compartmented buildings’. Details showing compliance are to accompany an application for a Construction Certificate.

**Reason:** To preserve community health and ensure compliance with acceptable standards.

### ***Impact on Existing Utility Installations***

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

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

### ***Support for Council Assets***

87. 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.

### ***Construction adjacent to a drainage easement***

88. 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.

### ***Foundations adjacent to existing drainage pipes***

89. Foundations adjacent to existing drainage pipes, must be constructed in accordance with Council's Code, "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements". Details must accompany an application for a Construction Certificate.

**Reason:** To ensure structural stability of the stormwater pipe.

### ***Driveway Grades***

90. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 to prevent the underside of the vehicles scraping. Where the geometric change in grade exceeds 18%, the gradients of the driveway and ramps shall be checked using the method at Appendix C in AS2890.1:2004 and adjustments will be made to accommodate suitable transition lengths. Details are to be provided with the application for a Construction Certificate.

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

### ***Water Quality***

91. The Stormwater treatment should be installed to achieve the requirements of the section 3.3.6.1 of Parramatta City Council Development Control Plan 2011 and generally approved as per the DA-approved stormwater drainage plan and the manufacturer's specifications and instructions to manage the quality of stormwater discharged from the site. Details of the proposed devices, their location and manufacturer's certification must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority. In this regard:

- a. WSUD and other elements must be installed to manage surface runoff water quality.



- b. The number and type of proposed water quality devices are not to be reduced, nor replaced with an alternate manufacturer's product without the written approval from Council.
- c. Stormwater Treatment Measures for the proposed development shall be designed in accordance with the requirements of the devices manufacturer design guidelines. Details are to be included with the plans and specifications accompanying any Construction Certificate.
- d. A Maintenance Schedule must be provided for the stormwater treatment measures, including the rainwater tank, in accordance with the requirements of the manufacturer. The designer of the stormwater treatment measures must prepare the Maintenance Schedule and this schedule must show the designer's name, signature and date on it.
- e. The Water Management Strategy must demonstrate that all peak stormwater flows leaving the site for any given storm event are less than or equal to all pre-development stormwater flows for such storms up to the 1% AEP event. The Water Management Strategy must demonstrate overall discharge reduction by 10% from pre-development levels

Details of the proposed devices and Maintenance Schedule 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.

### **Pavement Design**

92. For the road network approved by this application, the developer must submit a Pavement Design report to the satisfaction of the Principal Certifying Authority.

The report must include the proposed pavement structure, discussion of each element of the pavement design system shown in Figure 2.1 of Austroads' Pavement Design Guide (project reliability, construction and maintenance considerations, environment, subgrade evaluation, pavement materials and design traffic), all background data (e.g. traffic surveys and studies, geotechnical investigation, field and laboratory testing etc.), assumptions and calculations in the design process and nominated construction specifications.

For road pavements the design standards are:

- Specification 0042 (published by NATSPEC); and
- Austroads' Guide to Pavement Technology Part 2: Pavement Structural Design

For road pavements the construction standards are:

- If design traffic is less than  $10^5$  ESA – AUS SPEC specifications (published by NATSPEC)
- 1141 – Flexible Pavements
- 1143 – Sprayed bituminous surfacing
- 1144 – Asphaltic concrete (Roadways)
- Other AUS SPEC specifications for the work not covered by above specifications

If design traffic is equal or higher than  $10^5$  ESA – RMS Specifications

- 3051 – Granular Base And Subbase Materials For Surfaced Road Pavements
- R71 – Unbound and modified pavement course
- R73 – Construction of plant mixed heavily bound pavement course
- R83 – Concrete pavement base
- R106 – Sprayed bituminous surfacing (with cutback bitumen)
- R107 – Sprayed bituminous surfacing (with polymer modified bitumen)
- R111 – Sprayed bituminous surfacing (with bitumen emulsion)
- R116 – Heavy duty dense graded asphalt
- Other relevant RMS specifications for material and roadworks not covered by above specifications

**Reason:** To ensure the roads are appropriately constructed.

Landscape (Prior to CC)

### **Tree Retention**

93. Prior to the issue of the relevant Construction Certificate(s), the following structures, civil plans and services shall be modified as described to minimise the construction impact within the Tree Protection Zone (TPZ) of the following nominated trees listed in the Arboricultural Impact Assessment prepared by L&Co dated 30 November 2022: 1, 3, 5, 6, 9, 11, 12, 13, 14, 17, 24, 27, 31, 36-38, 42-45, 48-50, 52, 53, 56-77, 80, 83-86, 87, 88-89, 94-95, 101-103, 105-110:
- a) The footings of the proposed retaining walls will be designed so as not to impact on the trees required to be retained. In order to reduce the impact on the root structure, isolated piers or pier and beam construction is to be used within the TPZ radius of the nominated trees.
  - b) The detailed design of the decking and location of the post or supports will be designed around major roots (>30mm diameter) and constructed above the natural grade and to minimise impact to the trees. The designs are to demonstrate no excavation, re-grading or cultivation of the natural ground within the TPZ of the nominated trees is to occur.
  - c) Civil plans are to be amended to relocate underground services to outside the TPZ of trees to be retained and protected. Where this is not possible, the installation of the services is to be installed using sensitive construction methods and supervised by the Project Arborist.
  - d) The stormwater detailed design notes are to be amended to include non-destructive construction methods for the installation of drainage pipes within the TPZ of the nominated trees (where approved, in writing, by the Project Arborist). Non-destructive construction methods include hydro-vac, air-spade or careful hand-dig (as per the Project Arborist's specific recommendations in the TPMP) to retain all roots >30mm in diameter. Pipes are to be threaded through roots.
  - e) The detailed design and construction of the swales must demonstrate only mounding of additional/imported soil fill (above natural ground level) is to be used to create the overland flow paths within the TPZ of trees (refer to the TPMP and civil plans for coordination). No edging, excavation, compaction or re-grading is to occur within the TPZ's of the nominated trees. Note, any additional soil fill (maximum 150mm) must be pulled back from the base of the tree trunk by a minimum 200mm.
  - f) The footpath design within the TPZ of the nominated trees (where approved by the Project Arborist) must demonstrate it is to be built above the natural grade to avoid severing roots. No compaction to the subbase is to occur. The design must demonstrate no edging, excavation, or re-grading is to occur within the existing natural ground of the TPZ of these trees.
  - g) The Civil bulk earthworks (cut and fill) plan must be updated to reflect the latest landscape plans and tree retention zones (TPZ's). All cut and fill to be modified to be located outside the TPZ of trees to be retained and protected. Delete all cut and fill within the TPZ of the trees to be retained and protected (unless there is written prior approval by the Project Arborist to state otherwise in specific TPZ areas).
  - h) Plans to be updated to reflect the advice regarding the tree protection measures and exclusion zones (TPZ) provided in the revised Arboricultural Impact Assessment.
  - i) All civil plans are to be amended to indicate the tree protection zone requirements as set forth in the updated arborist's report along with any other design modifications or sensitive construction methodology requirements that the arborist deems necessary to ensure the long-term health and sustainable retention of the trees.
  - j) Tree Protection Zones (TPZ) to be added to all plans to ensure the latest arboricultural information is coordinated with the revised AIA.
  - k) Note:- no excavation, cultivation, or compaction to occur within the TPZ of trees to be retained and protected unless written approval has been provided by the Project Arborist.
  - l) The proposed temporary carpark material is to be changed to a porous / permeable material and is to be built from natural ground up (i.e. minimal excavation) to reduce the impact on the adjacent trees, retain and improve the infiltration of water to the water table, assist with stormwater management, minimise changes to the site hydrology and help protect the ecosystem;
  - m) The 700mm wide sandstone wall to the edge of the temporary carpark is to be built at or above natural ground level using sensitive non-destructive construction method to

- minimise the impact to the surrounding trees (no excavation is to occur within the TPZ of the trees to be retained and protected).
- n) The civil plans are to be amended to reduce the excessive fill shown on the bulk earthworks to the southern boundary to avoid the need for a large retaining wall along the southern boundary (minimum 1.2m) and to ensure no cut or fill is shown within the Tree Protection Zones (TPZ) of trees to be located here.

All design modifications within the TPZ of trees to be retained will need to be coordinated and pre-approved, in writing, by the Project Arborist to ensure they have minimised the impact to the trees as per AS4970-2009 *Protection of trees on development sites*. Tree protection methodology and design changes to be added to all relevant plans and be submitted with the Construction Certificate application.

The removal of fill should not impact on the overland flow away from Niblick Crescent and downstream properties and to be maintained through the stormwater easement.

Before the issue of the relevant Construction Certificate, the revised plans and documents are to be submitted to the written satisfaction of Council's Manager Development and Traffic Services Unit.

**Reason:** To ensure adequate protection of existing trees.

### ***Landscaping Plan***

94. Prior to the issue of the relevant Construction Certificate(s), revised Landscape Drawings are to be prepared by a professionally qualified Landscape Architect which addresses the following:
- (a) Retention of trees numbered in the Arboricultural Impact Assessment prepared by L&Co dated 30 November 2022, as a minimum:- 1, 3, 5, 6, 9, 11, 12, 13, 14, 17, 24,27, 31, 36-38, 42-45, 48-50, 52, 53, 56-77, 80, 83-86, 87, 88-89, 94-95, 101-103, 105-110.
  - (b) Any works shown within the TPZ of these trees is to be approved, coordinated and detailed to ensure adequate protection and design modifications have been incorporated.
  - (c) Include all landscape areas at ground floor, roof terraces, private courtyards, podium courtyards on all buildings.
  - (d) Location of the proposed fence around the communal open space to be amended to better define and maximise the area of useable private communal open space for the independent seniors living units.
  - (e) Ensure there is frequent rest points and seating areas throughout the landscape areas and along the circulation paths suitable for a Seniors Living development.
  - (f) Ensure all overland and subsurface drainage pipes and easements are coordinated with the Civil Engineer plans;
  - (g) The soil volume and soil depth, on slab (above the basement, podium, roof terraces / OSD), must be amended to meet the recommendations of the Apartment Design Guide (ADG) – Part 4, 4P *Planting on Structures - Tools for improving the design of residential apartment development* (NSW Department of Planning and Environment, 2015), namely:
    - Typical tree planting on structure to show overall 800-1200mm soil depth. (Soil Volume must meet the proposed tree species size)
    - Typical shrub planting on structure 500-600mm soil depth;
    - Typical turf planting on structure 200-300mm soil depth.
  - (h) Additional sections are required through the landscape areas which demonstrate:
    - A section through the internal road, basement carpark, street tree and treepit to ensure the soil volume and soil depth meet the recommendations of the "Apartment Design Guide (ADG) – Part 4, 4P Planting on Structures - Tools for improving the design of residential apartment development" (NSW Department of Planning and Environment, 2015).
    - Specific section details through the podium rooftop planting, courtyards and the communal gardens, as a minimum, is to be provided to ensure there is sufficient growing medium and adequate drainage cell depth provided and to show overall 800-1200mm soil depth and soil volume to support the mature growth of the trees and shrubs is achieved. (Soil Volume to be reflective of proposed tree species size)
  - (i) Planting structures to be clearly defined on the plans and details provided indicating soil depths (top and bottom wall heights).

- (j) Contours and spot levels, top of walls and SSL to be provided across the development,
- (k) Additional street trees to be shown along the road reserve as per separate condition.
- (l) Ensure all paths are DDA compliant and provide equitable access suited to the senior housing type of development. The elevated boardwalks, equal access paths, internal and periphery paths must allow for the passage of 2 wheelchairs to pass each other safely. Dimensions to be provided on the plans and sections.
- (m) Trees are to be provided in a minimum 100 litre container and be planted at minimum distances of two (2) metres from any drainage line (unless pipes are concrete encased);
- (n) Two planters located adjacent to the zebra crossing shall be deleted for traffic safety reasons.
- (o) Delete the 'tree stake' detail from the typical tree planting detail as the tree should be self-supporting from the nursery (unless the tree is to be planted within a wind-prone location).
- (p) Delete the proposed planting within the Structural Root Zone (SRZ) of the trees to be retained to avoid severing the roots.
- (q) Provide details showing both the turf planting and shrub planting within the Tree Protection Zone (TPZ) of existing trees to show minimal excavation, cultivation and compaction and to ensure the root system will be adequately retained and protected.
- (r) The location of all proposed overhead and underground service lines to be coordinated with the revised Civil Engineer plans.
- (s) Any proposed hard surface under the canopy of existing trees shall be permeable and coordinated with the Project Arborist.
- (t) Update proposed plant schedule indicating the above changes, planting locations, species type (including both botanic / common name) mature dimensions, plant numbers and the size of the containers at planting. Schedule to be broken up into the different landscape areas (i.e. roof terrace, ground level, townhouse, communal open space).

Before the issue of the relevant Construction Certificate, the revised landscape plans are to be submitted to the written satisfaction of Council's Manager Development and Traffic Services Unit.

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

#### ***Planting upon Structure***

95. Prior to the issue of the Construction Certificate, revised Landscape Drawings are to be prepared by a professionally qualified Landscape Architect which addresses the following relating to planting on structures:

- (a) Construction details are to be provided by a suitably qualified Structural Engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens.
- (b) All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.
- (c) Any soil mounding must not exceed a maximum 1:8 grade to minimise soil erosion. Where this is demonstrated to not be feasible, mounding of up to 1:4 grade is acceptable in key locations, but must not be localised around any tree root balls to achieve the required soil depth. This must be demonstrated on the amended plans and sections and certified by a suitably qualified Landscape Architect.
- (d) The soil volume and soil depth, on slab (above the basement, podium, roof terraces / OSD), to be amended to meet the recommendations of the Apartment Design Guide (ADG) – Part 4, 4P *Planting on Structures - Tools for improving the design of residential apartment development* (NSW Department of Planning and Environment, 2015):
  - Typical tree planting on structure detail to show overall 800-1200mm soil depth. (Soil Volume to be reflective of proposed tree species size)
  - Typical shrub planting on structure detail to show minimum 500-600mm soil depth,
  - Typical turf planting on structure to show minimum 200-300mm soil depth.
- (e) Sections through the planters supporting the trees and shrubs over the basement, OSD and on podium level are required to show the above requirements.
- (f) Tree planting densities shall not exceed the prescribed soil volume and area as per ADG – Part 4 requirements.
- (g) A landscape maintenance schedule is required to ensure all landscape areas are well maintained for a sufficient period of time (minimum 1 year)
- (h) A soil specification ('Fit-for-purpose' performance description) for imported soil types to ensure sufficient nutrient and water availability is achieved.

- (i) An Irrigation plan and specification must be provided by a suitably qualified Hydraulic Engineer.

Prior to issue of the relevant Construction Certificate, the revised plans are to be submitted to the written satisfaction of Council's Manager Development and Traffic Services Unit.

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

***Statement on Tree Protection Management Plan***

96. Prior to the issue of the Construction Certificate, a Tree Protection Management Plan (TPMP) and revised Arboricultural Impact Assessment prepared by a suitably qualified Consulting Arborist (Australian Qualification Framework Level 5). This TPMP is to identify specific tree protection measures to be implemented for the trees located within the site and adjacent to the site during demolition and construction and the expected future health of the trees.

The TPMP must discuss the specific non-destructive construction method to minimise the impact and encroachment and discuss the specific protection measures required throughout the demolition and construction works. It should cover all stages of the works and cover any works to be supervised by the Project Arborist including:

- (a) A complete Tree Protection Management Plan (TPMP) is required to show the specific tree protection measures and non-destructive construction modifications for all trees within the site, the easements and adjacent to the site (5m) and it is required to show the tree protection measures and modifications to the construction.
- (b) Identify the specific tree protection measures and location/extent required for each tree inclusive of canopy, trunk and tree root protection in accordance with AS 4970-2009 - *Protection of Trees on Development Sites*;
- (c) Discuss supervision of any approved excavation to be undertaken within the calculated Tree Protection Zones of the trees to be retained and protected
- (d) Provide guidance on the approved services to be installed within the TPZ of trees, to ensure non-destructive construction techniques are used to minimise the construction impact (i.e. bridging of roots);
- (e) Specific tree protection measures (including any non-destructive / sensitive construction method) to be discussed in the report and located on the tree protection management plan and coordinated with the other disciplines.
- (f) Construction of any structure which requires a modified footing;
- (g) Landscaping (i.e. minimise cultivation, excavation planting techniques within the TPZ & SRZ);
- (h) The AIA report must be updated to show and discuss the latest civil, architectural and landscape plans including the temporary carpark area, easements / OSD / bioretention basin and associated infrastructure.
- (i) An updated Tree Retention and Removal Plan for the whole development site, at 1:100 or 1:200 scale with a high resolution for clarity using the latest architectural drawings and civil and landscape plans.
- (j) The AIA and TPMP is to discuss the bulk earthwork / cut & fill plan and provide guidance on the TPZ and minimisation of works within the TPZ of trees to be retained and protected.
- (k) Any affected trees located on the adjoining properties to be discussed and impacts reduced to ensure they are adequately protected;
- (l) Where retained trees have a development setback and tree protection zone established, a tree protection specification and diagram must be provided in accordance with AS4970-2009 *Protection of Trees on Development Sites*.

The revised Tree Protection Management Plan (TPMP) and Arboricultural Impact Assessment is to be submitted to the written satisfaction of Council's Manager Development and Traffic Services Unit.

**Reason:** To ensure adequate protection of existing trees.

Public Domain (Prior to CC)

***Public Domain Construction Drawings***

97. Prior to the issue of a Construction Certificate for any relevant construction work relating to the public domain works, any publicly accessible internal works, or any other related above ground structure, including slab pour, a set of detailed Public Domain Construction Drawings must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager.

The drawings shall address, but not be limited to, the following areas:

- All the frontages of the development site between the gutter and building line, including footpath, drainage, forecourt, front setback, internal roads, driveways, cul-de-sacs, porte-cocheres,
- Any publicly accessible areas,
- All internal footpaths and building entries,
- Any works in carriageway,
- Works to integrate with adjacent public amenity, and
- Onsite landscape works

Grading of the pedestrian footway:

- Detailed design spot levels and designed contour lines are required.
- Localised flattening of public footpath levels at building doorways is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Council. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.
- Bettington Road Frontage –
  - Install a 1.8 m concrete footpath within the Bettington Road reserve from the southern boundary to north of the roundabout at Ellis Street the property boundary with new turfed verge till the kerb and gutter.
  - Install new kerb and gutter, where damaged by the construction of the development.
  - Provide pedestrian connections and access to all buildings facing Bettington Road from the Bettington road public footpath.

The Public Domain Construction Drawings and specifications shall be prepared in accordance with the City of Parramatta Public Domain Guidelines (PDG); Apartment Design Guide 2015; National Construction Code (BCA) Volume one 2019; AS1428.1-2021, Design for access and mobility Part 1, General Requirements for access – New Building work; AS1428.2 - 1992, Design for access and mobility Part 2, Enhanced and additional requirements- Buildings and facilities.; AS1428.4.1-2009, Design for access and mobility Part 4.1 Means to assist the orientation of people with vision impairment-Tactile ground surface indicators; AS/NZS 2890.6 2009 Part 6; Off street parking for people with Disabilities; AS4299 – 1995 Adaptable Housing and State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (SEPP).

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

### ***Footway Specifications***

98. The following requirements shall be included in the Public Domain Construction Drawings:

#### Footpath

The **standard concrete paving**, as per the PDG and Council Standard detail DS 3, shall be applied to Bettington road and the internal roads to the full length of the development site. Detailed design spot levels are required.

A footpath width of 1.8m is required along Bettington road and a minimum width of 1.5m for the internal roads.

New kerb and gutter and new verge installation is required as part of these works.

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

#### Kerb Ramps

Council's standard kerb ramp detail is to be provided. Refer Council's design standard DS4.

Kerb ramps are to be aligned to kerb ramps on the opposite side of the road.

#### Vehicle Crossing

Council's standard vehicle crossing is to be provided. Refer Council's design standards DS9 and DS 10.

#### Pit Lids, Frames and Grates

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

***All Pit lids, frames and covers in the public domain must be of class 'C' load bearing capacity in all pedestrian areas and class 'D' for all shared zones.***

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

#### Tactile Indicators (TGSIs)

TGSIs must be used on the public footpath and comply with the requirements in the Public Domain Guidelines and the latest versions of AS1428.1 and AS1428.4. The TGSIs must be installed in the locations as shown on the approved Public Domain Construction Drawings.

#### Clear Path of Travel (Shore-Lining)

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

#### Steps, Handrails and Ramps

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

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

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

#### Sealant

Sealant is to be applied to all stone and concrete unit paved surfaces in the public domain and all publicly accessible spaces in accordance with Council requirements.

#### Slip Resistance

In all Publicly Accessible Private Spaces and all non-council Standard Pavements, the applicant shall provide test results (after applying paving sealant) to prove applicable pavement material and finishes used in the publicly accessible areas and any plaza areas are **non-slip surfaces** that comply with a P4 (for stone) or P5 (for concrete pavers) rating as per AS4586:2013. Independent slip resistance test results to P5 Classification (Wet Pendulum Test) of completed works should be submitted.

For any pebblecrete paving (concrete pavers) apply 2 coats of solvent based single pack acrylic coating with Size 36/46 Aluminium Oxide grit, and one top coat with the same product.

#### Street Furniture

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

### Lighting

Pedestrian and street lighting shall be to Council's requirements and Australian Standards. All the lighting features in the public domain shall be detailed in the Public Domain Construction Documentation. All new LED luminaires shall include 7pin NEMA socket. Street lights in the public domain to be located at the back of kerb within the furniture zone as per the PDG.

### Green Pillars (Bruces)

Green Pillars for electrical connections or Bruces as they are called, where required / or where existing, should be coordinated with public domain elements, be outside the clear path of travel and must be neatly located 100mm away from the face of the building / property boundary wall (as applicable), in agreement with Council's Public Domain team. Any existing green pillars must be moved and located as stated above.

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

**Reason:** To comply with the Public Domain Guidelines.

### Environmental Health (Prior to CC)

#### ***Design of fit-out to comply with food safety standards***

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

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

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

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

**Note:** Copies of AS4764-2004 may be obtained from Standards Australia. Copies of the Food Standards Code may be obtained from Australia and New Zealand Food Authority.

Alternatively, you may obtain a copy of the 'Food premises design, construction and fit-out guide' from Council. This guide is based on the above standards and sets out minimum requirements to achieve compliance.

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

#### ***Acoustic Report***

100. The recommendations outlined in the acoustic report Amended Noise and Vibration Impact Assessment No. P00377, dated 28 July 2023, prepared by prepared by E-LAB Consulting 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

#### ***Noise Management Plan (Works)***

101. A noise management plan must be submitted to Council for approval prior to any work commencing and complied with during any construction works. The plan must be prepared by a suitably qualified person, who possesses qualifications to render them eligible for membership



of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

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

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

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

Traffic (Prior to the relevant CC for the below works)

**Temporary Parking Spaces**

102. Parking spaces are to be provided in accordance with the approved plans for the temporary car park and with AS 2890.1, AS2890.2 and AS 2890.6. A total of 227 car parking spaces are to be provided, including 12 accessible car parking spaces.

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

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

**Vehicular Manoeuvring**

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

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

**Parking Spaces – Golf Club and Independent Living Units**

104. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6. A maximum of 365 parking spaces are to be provided in the basement and be allocated as follows:

- a) 147 parking spaces for independent living units (with a minimum of 9 spaces to be designed capable of increasing the width of the car parking space to 3.8 metres);
- b) 18 parking spaces for residential visitors including one (1) car wash bay;
- c) 200 parking spaces for golf club including two (4) spaces as accessible parking.

Tandem car spaces are to be allocated to same unit. Details are to be illustrated on plans submitted with the construction certificate.

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

impairment' - 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009.

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

**Reason:** To comply with Council's parking requirements, the requirements of State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, Australian Standards and to ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

#### ***Electric Vehicle Infrastructure***

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

- (a) All residential car parking must provide an EV Ready Connection to each and every space allocated to residents. An EV Ready Connection is the provision of a cable tray and a dedicated spare 30A circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit.
- (b) Provide EV Distribution Board(s) of sufficient size to allow connection of all EV Ready Connections.
- (c) Locate EV Distribution Board(s) so that no future EV Ready Connection will require a cable of more than 50m from the parking bay to connect.
- (d) Each EV Ready Connection is served from a cable tray and a dedicated spare 30A circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit.
- (e) EV Distribution Boards are to be dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods, to ensure impacts of maximum demand are minimised. To deliver this, the distribution board will be complete with an EV Load Management System and an active suitably sized connection to the main switchboard.
- (f) EV Load Management System is to be capable of:
  - Reading real time current and energy from the electric vehicle chargers under management;
  - Determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are full recharged;
  - Scale to include additional chargers as they are added to the site over time.

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

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

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

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

#### ***Street Parking***

107. On-street parking spaces are to be provided in accordance with the approved plans and AS 2890.5-2020. Adequate clearance between the parking bay and the nearest moving traffic lane is to be provided for parallel parking, angled parking and centre-of-road parking, in accordance with Table 3.1, 3.3 and 3.6 of AS 2890.5-2020 respectively. Details are to be illustrated on plans submitted with the construction certificate.

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

#### ***Bicycle Parking***

108. 12 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.

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

### **Road Construction**

109. The private roads shall be constructed in accordance with:
- (a) The civil plans approved at condition 1;
  - (b) All relevant Australian Standards
  - (c) All relevant requirements of AustRoads.

The PCA must be provided with certification from a suitably qualified person that the terms of this condition are satisfied prior to issue of the relevant Construction Certificate.

**Reason:** To ensure the road is properly constructed.

### **Pedestrian Refuge**

110. Detailed engineering design plans of a Pedestrian Refuge Island in Bettington Road near Ellis Street are to be submitted to Council's Traffic and Transport Manager for consideration by the Parramatta Traffic Committee and approval by Council. The design of the pedestrian refuge island must comply with the Australian Standards, Transport for NSW technical directions and, Council requirements including the upgrade of any streetlighting if required. The construction of the approved treatment is to be carried out by the applicant and all costs associated with the construction of the pedestrian refuge island is to be paid for by the applicant at no costs to Council.

**Reason:** To ensure safety on the surrounding road network.

## **Prior to Work Commencing**

### **Planning (Prior to Work)**

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

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

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

112. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:
- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
  - (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

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

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

#### ***Enclosure of the Site***

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

**Reason:** To ensure public safety.

#### ***Site Sign***

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

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.

**Reason:** Statutory requirement.

***Toilet Facilities on Site***

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

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

***Public Liability Insurance***

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

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

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

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

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

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

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

***Footings and Walls Near Boundaries***

117. 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.

***Survey Report***

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

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

**Engineering (Prior to Work)**

***Construction and Traffic Management Plan***

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

- (a) Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:

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

Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Works Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

- (c) Traffic Control Plan(s) for the site:
- (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
  - (ii) Approval shall be obtained from City of Parramatta Council for any temporary road closures or crane use from public property.
- (d) Where applicable, the plan must address the following:
- (i) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road,
  - (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
  - (iii) Minimising construction related traffic movements during school peak periods.

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

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

### ***Road Opening Permits***

120. The applicant must apply for a road-opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas).

In addition, no drainage work can be carried out within the Council owned land without this permit being issued. A copy is required to be kept on site.

**Reason:** To protect Council's assets throughout the development process.

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

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

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

In the event that 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 Principal Certifying Authority.

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

**Reason:** Management of records.

***Geotechnical report***

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

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

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

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

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

- (i) No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- (ii) No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (iii) No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (iv) Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
- (v) Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
- (vi) An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table C1 of AS 2870 - 1996.

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

#### ***Reinforced concrete pipe work***

123. Details of the proposed reinforced concrete pipe-work shall be submitted for Council's City Works Unit approval prior to commencement of any work.

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

#### ***Erosion and Sediment Control measures***

124. 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.

#### ***Site Maintenance***

125. 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.

### ***Special Permits***

126. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:
- (a) On-street mobile plant:  
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
  - (b) Storage of building materials and building waste containers (skips) on Council's property.
  - (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
  - (d) Kerbside restrictions - construction zones:  
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

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

**Reason:** Proper management of public land.

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

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

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

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

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

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

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

### ***Construction Environmental Management System Plan***

128. A Construction Environmental Management System and Plan (CEMP) shall be submitted to, and approved by, Council's DTSU Manager prior to work.

The CEMP must be prepared in accordance with ISO14001:2015 and the Department of Infrastructure, Planning and Natural Resources (2004) 'Guidelines for the Preparation of Environmental Management Plans' and submitted to the relevant authorities at least 4 weeks prior to the commencement of construction.

This plan should cover demolition, soil and water management and site maintenance and any associated groundwater, flooding and overland stormwater flow management. It must address



any possible pollution risks, and how they will be managed. It must incorporate updated erosion and sediment control plans/ stormwater plan showing how rainwater and groundwater captured within the site will be treated to satisfactory water quality standards, monitored and discharged. The plan and management system must be implemented throughout the work.

**Reason:** Environment protection.

#### Landscape (Prior to Work)

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

129. The trees identified for protection within the consent shall be protected prior to and during the demolition/construction process in accordance with the revised Arboriculture Impact Assessment and Tree Protection Management Plan and the conditions of consent.

**Reason:** To ensure the protection of the trees to be retained on the site.

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

130. 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.

#### Environmental Health (Prior to Work)

##### **Asbestos - signage**

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

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

##### **Food premises DA/CC where plans satisfy both asses**

132. The design and construction of any food / beverage preparation facilities and waste storage areas associated with this activity shall satisfy the requirements of food safety standards prescribed under the Food Act 2003, as well as Australian Standard AS 4674 - 2004: 'Design, Construction and Fit-out of Food Premises'. Final design drawings for these areas are to be submitted to the principal certifying authority prior to commencement of work.

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

#### Open Space (Prior to Works)

133. The mitigation measures outlined in the *Flora and Fauna Assessment* report prepared by Eco Logical Australia (2022) must be implemented prior to and during the demolition/construction process in accordance with the report.

**Reason:** To ensure impacts on biodiversity is appropriately managed and mitigated.

#### **During Work**

##### Planning (During Work)

##### **Copy of Development Consent**

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

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

### ***Dust Control***

135. 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.

### ***Materials on Footpath***

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

**Reason:** To ensure pedestrian access.

### ***Materials on Drainage Line***

137. 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.

### ***Hours of Work and Noise***

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

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

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

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

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

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

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

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

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

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

### ***Complaints Register***

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

- i) The date and time of the complaint;
- ii) The means by which the complaint was made;

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

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

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

***Construction Noise (DPIE Mandatory Cond)***

140. 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.

***Survey Report***

141. 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: -

- (a) All footings/ foundations
- (b) 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.

***Uncover Relics/Aboriginal Objects (DPIE Mandatory Cond)***

142. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

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

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

***Shoring & adequacy of adjoining property***

143. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person’s own expense: -

- (a) Protect and support the building, structure or work from possible damage from the excavation, and
- (b) Where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

**Reason:** Prescribed condition - EP&A Regulation clause 74.

***Implementation of BASIX Commitments***

144. While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.

**Reason:** To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75 EP&A Regulation).

Engineering (During Work)

***Erosion & sediment control measures***

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

**Reason:** To ensure no adverse impacts on neighbouring properties.

***Damage to public infrastructure***

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

**Reason:** To protect public safety.

***Construction of a concrete footpath***

147. A footpath is to be constructed in accordance with Council Standard Drawing DS3 in front of the site within the road reserve. Details of the proposed footpath works shall be submitted to and approved by Council's Civil Asset Team prior to commencement of footpath works. All costs are to be borne by the applicant.

**Reason:** To provide pedestrian passage.

***Car parking & driveways***

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

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

***Vehicle egress signs***

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

**Reason:** To ensure pedestrian safety.

***Nomination of Engineering Works Supervisor***

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

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

Traffic (During Works))

***Footpath Occupation***

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

**Reason:** To ensure proper management of Council assets.

### **Oversize Vehicles**

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

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

### Landscape (During Works)

#### ***Pruning of trees by an arborist***

153. All pruning must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist and confirm to the provisions of AS4373-2007 "Pruning Amenity Trees" and the Code of Practice for Amenity Tree Industry 1998.

**Reason:** To ensure the pruning will not adversely affect the tree(s).

#### ***Material storage and trees***

154. No materials (including waste and soil), equipment or goods of any type are to be stored, kept or placed within 5m of the trunk of a tree or within the Tree Protection Zone (TPZ) of any tree whichever is greater. All activities involving soil level changes, excavation, all types of cleaning, and refuelling are prohibited within the TPZ.

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

#### ***Excavation to be supervised by arborist***

155. All approved excavation within the TPZ of specific trees, identified within the revised Arboricultural Impact Assessment must be supervised by an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist.

All works within this zone is to be carried out using non-destructive construction method such as hydrovac (on the lowest setting) or careful hand-dig to retain all roots >30mm in diameter or as identified within the Tree Protection Management Plan.

Once the work is completed a written summary and photo evidence detailing the works undertaken is to be forwarded to the Certifying Authority and to state if works were carried out in accordance with the Conditions of Consent and AS4970 *Protection of Trees on the Development sites*.

**Reason:** To provided adequate protection of trees.

#### ***Advanced tree planting***

156. All trees supplied above a 25L container size must be grown in accordance with AS2303:2015 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2015. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

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

#### ***Tree Removal***

157. The following trees have been approved for removal:- 2, 4, 7, 8, 10, 15-16, 18-23, 25, 26, 28-30, 32-35, 39, 40, 41, 46, 47, 51, 54, 55, 78, 79, 81, 82, 90-93, 96- 100 & 104

**Reason:** To facilitate development.

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

158. 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.

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

159. 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.

#### Environmental Health (During Works)

##### ***Importation of clean fill***

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

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

##### ***Asbestos – Records disposal & licensed waste facility***

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

**Reason:** To ensure appropriate disposal of asbestos materials.

##### ***Handled and disposed of by licensed facility***

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

**Reason:** To ensure appropriate disposal of asbestos materials.

##### ***Waste data maintained***

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

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

##### ***Disposal of Material at Licensed Landfill***

164. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

**Reason:** To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

#### **Prior to the issue of an Occupation Certificate**

##### Planning (Prior to OC)

##### ***Request for a Subdivision Certificate***

165. Prior to Occupation Certificate, separate applications must be made for Torrens and Stratum subdivision certificates.

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

##### ***Easements***

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

- (a) Show rights of way and use arrangements for the Golf Club members/visitors, residents and the public in relation to pathways, car parking, loading and servicing in the basement;
- (b) Easements for all services;

- (c) A public easement across all internal roadways; and
- (d) All other matters as nominated in this consent.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available on Council's website, under Development Forms. All Covenants / Restrictions created as part of this consent are to contain a provision that they cannot be released, varied or modified except with the written consent of the City of Parramatta Council. The terms are to be submitted to Council for approval prior to lodgement with NSW Land Registry Services.

Registered title documents showing the covenants and restrictions must be submitted to Council's Manager Development and Traffic Services Unit (DTSU) prior to the issue of any Subdivision Certificate.

**Reason:** To ensure maintenance of facilities and access.

***Restriction as to User – Seniors Living***

167. Prior to issue of a Subdivision Certificate, a Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, restricting occupation of the Seniors Living uses on site to the following:

- (a) seniors or people who have a disability, or
- (b) people who live within the same household with seniors or people who have a disability, or
- (c) staff employed to assist in the administration of and provision of services to housing provided under this Policy.

The terms referred to in the above list are as defined by State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004.

Where a Title exists, the Positive Covenant / Restriction on the Use of Land is to be created via an application to NSW Land Registry Services using forms 13PC and 13RPA.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available on Council's website, under Development Forms. All Covenants / Restrictions created as part of this consent are to contain a provision that they cannot be released, varied or modified except with the written consent of the City of Parramatta Council. The terms are to be submitted to Council for approval prior to lodgement with NSW Land Registry Services.

Registered title documents showing the Covenants / Restrictions must be submitted to and approved by the Principal Certifying Authority prior to the relevant occupation or use of site.

**Reason:** To complying with legislative requirements of the relevant SEPP.

***Positive Covenant - Turntable***

168. Prior to issue of a Subdivision Certificate, a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to service and maintain the mechanical turntable on the lot.

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

It is required that a certificate from the manufacturer to be submitted to the Council with the Positive Covenant and Restriction on the Use of Land under Section 88E application to ensure that the design and installation of the turntable are in accordance with the manufacturer design specifications. A maintenance schedule consistent with the manufacturers recommendation for the turntable shall be attached as an addendum to the Positive Covenant for the turntable system.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through via an application to the Land Titles Office using forms 13PC and 13RPA. Accompanying

this form is the requirement for a plan to scale showing the relative location of the turntable, including its position within the basement car park.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to Occupation or use of on-site.

**Reason:** To ensure maintenance of turntable facilities and ensure Council can provide waste services to the site.

***Record of Inspections Carried Out***

169. In accordance with Clause 140 of the Environmental Planning and Assessment Regulation 2021, the Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:
- (a) The development application and Construction Certificate number as registered;
  - (b) The address of the property at which the inspection was carried out;
  - (c) The type of inspection;
  - (d) The date on which it was carried out;
  - (e) The name and accreditation number of the certifying authority by whom the inspection was carried out; and
  - (f) Whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

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

***The Release of Bond(s)***

170. A written application to Council's Civil Assets Team for the release of a bond must quote the following:
- (a) Council's Development Application number; and
  - (b) Site address.

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

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

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

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

***SEPP 65 Verification Statement OC Stage***

171. 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.

***Street Numbering***

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

The developer must provide Council with a schedule of individual unit/street numbers as displayed within the development for identification purposes.

The numbering sequence must be in accordance with the street numbering approval letter issued by Council.

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

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



***Street Numbering Display***

173. A street number is to be placed on the building 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 assist wayfinding.

***Broadband Access***

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

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

Call: 1800 881 816  
Email: [newdevelopments@nbnco.com.au](mailto:newdevelopments@nbnco.com.au)  
Web: [www.nbnco.com.au/NewDevelopments](http://www.nbnco.com.au/NewDevelopments).

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

***Provision of Telephone Services***

175. The submission of documentary evidence from the telecommunications provider authorised under the *Telecommunications Act 1997* confirming arrangements have been made for the provision of telephone services prior to the issue of a Subdivision Certificate.

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

***Provision of Electricity Services***

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

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

***Energy Star Ratings***

177. Prior to the issue of any occupation certificate for dwellings the Principal Certifying Authority is to ensure that all Fridges, Clothes Washers, Clothes Driers, Dishwashers and Air Conditioners are of at least at least the Energy Star Rating as required by the BASIX certificate.

**Reason:** To ensure the Environmental Sustainability Commitments are met.

***All Works/Methods/Procedures/Control Measures***

178. Prior to the issue of an Occupation Certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and the City of Parramatta, stating that all works/methods/procedures/control measures/recommendations approved by Council in the specialist reports listed in Condition 1 have been implemented.

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

***Emergency Management Plan***

179. The applicant is to develop an Emergency Management Plan. The Emergency Management Plan shall include, but not be limited to, the following:

- ***Personal Emergency Evacuation Plans*** – A customised evacuation strategy (Personal Emergency Evacuation Plan) is prepared for each resident requiring assistance with mobility.
- ***Emergency Contacts*** – A list of all emergency contacts.
- ***Emergency Procedures*** – Emergency/evacuation procedures, floor plans, location of emergency exits and emergency kit and safety equipment, and evacuation point.
- ***Evacuation Drill Schedule*** – Outline regular evacuation drills, including staff providing assistance to residents with mobility issues.
- ***Emergency Kit*** – Detailing contents and inspections.
- ***Emergency Team Roles & Responsibility*** – Appoint first aid officers and fire warden(s).

The plan is to be provided to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

**Reason:** To minimise risk to human life.

#### Engineering (Prior to OC)

##### ***Work-as-Executed Plan***

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

- (a) A WAE survey shall be conducted and plans prepared showing the 'as built' of the complete on-site detention system including (but not restricted to) discharge point, storage tank (including all critical elements), all pipes and pits connected to the OSD system, overland flow swale and surface levels that control surface flows to the OSD system and by design bypassing the OSD system.
- (b) The survey shall confirm a) that all retaining walls including foundations are wholly within the site boundary, b) that the swales have been constructed as per the approved plans, c) that the relevant boundary fences have been raised to allow overland flow to drain unobstructed though to the swale.
- (c) 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.
- (d) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- (e) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table
- (f) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- (g) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The certificate must only be provided after conducting a satisfactory final inspection. The final inspection shall include the application of all the ancillary components of the system including but not limited to: step-irons, orifice plate, trash screen with appropriate wall attachment, hinged grates, confined space sign, functioning return lap valve and relief drains within DCP sump etc.
- (h) Certificate of Structural compliance of the OSD tank shall reference the structural elements including floor slab/foundations, walls and cover slab from a qualified structural engineer
- (i) The WAX plan shall include the full length of the downstream drainage easement and the trunk drainage system.
- (j) Photographic evidence of the connection point to the existing pit.
- (k) Details WAX plan of the flood risk management implementation for the development, to show compliance with the approved flood risk management report.

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

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

##### ***OSD Positive Covenant/Restriction***

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

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

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

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to Occupation or use of on-site.

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

***Effective evacuation report***

182. An evacuation report and procedure shall be prepared by an appropriate consulting engineer. This report is to demonstrate how the occupants of the development will egress the site in the early stages of a storm event, together with how they will seek refuge in a peak stormwater event (i.e. first floor of the building etc.). The report shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. A copy of the report shall be attached to the Occupation Certificate when forwarded to Council.

**Reason:** To make property owners/residents aware of the procedure in the case of flood.

***Interallotment Drainage Easement***

183. Plans submitted with the Subdivision Certificate must illustrate that appropriate inter-allotment drainage easements are being created in accordance with the stormwater plans.

**Reason:** To ensure an appropriate easement is in place.

***Driveway Crossover***

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

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

The application for a driveway crossing requires the completion of the relevant application form and be accompanied by detailed plans showing, grades/levels and specifications that demonstrate compliance with Council's standards, without conflict with all internal finished surface levels. The detailed plan must be submitted to Council's Civil Assets Team for approval prior to commencement of the driveway crossing works. A fee in accordance with Councils adopted 'Fees and Charges' will need to be paid at the time of lodgement.

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

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

**Reason:** Pedestrian and Vehicle safety.

***Construction of a standard kerb ramp***

185. Proof of completion of the Kerb Ramp must be submitted to the satisfaction of the Council prior to the issue of an Occupation Certificate.

**Reason:** To provide adequate access.

***Reinstatement of laybacks***

186. All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with Council's Standard Plan No. DS1. The reinstatement must be completed prior to the issue of an Occupation Certificate. All costs must be borne by the applicant.

**Reason:** To provide satisfactory drainage.

***Positive Covenant 1***

187. Prior to the issue of an Occupation Certificate a Positive Covenant on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the pump out system on the lot.

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

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

Registered title documents showing the covenant must be submitted to and approved by the Principal Certifying Authority prior to Occupation or use of site.

**Reason:** To ensure compliance

***Positive Covenant 2***

188. Prior to the issue of an Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the WSUD facility on the lot.

A WAE survey shall be conducted, and plans prepared showing the 'as built' of the complete water-sensitive urban design systems with the S88E instrument.

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

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

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior to Occupation or use of on-site.

It is required that a certificate from the cartridge manufacturer to be submitted to the Council with the Positive Covenant and Restriction on the Use of Land under Section 88E application to ensure that the design and construction of the stormwater treatment devices are in accordance with the manufacturer design specifications. A maintenance schedule for the filtration system shall be attached as an addendum to the Positive Covenant for the WSUD system.

Electronic colour photographs in jpg format of the on-site detention facility shall accompany the application for the Positive Covenant and the Restriction on the Use of the Land. These photos shall include such elements as the, step irons, weir, sump and all pipe entries to the WSUD chamber and confined space warning signs at each entry point, swale, and filtration chamber. The photos must be well labelled and must differentiate between multiple tanks.

**Terms of restriction on use**

The registered proprietor shall not make or permit or suffer the making of any alterations to any stormwater treatment measures/ water sensitive urban design elements which is, or shall be, constructed on the lot(s) burdened without the prior consent in writing of City of Parramatta Council.

The expression "stormwater treatment measures/ water sensitive urban design elements" means the infiltration systems, GPT, WSUD filters ,porous pavement, sediment basins, bioretention swales, bio-retention basins, rain gardens, landscaped or vegetated swales, vegetated buffers, swale/ buffer systems, sand filter, wetlands, ponds, retarding basins, aquifer storage and recovery, rainwater reuse tanks, stormwater reuse tanks, gross pollutant traps, pit inserts, silt/ oil arrestors or other proprietary products including all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins or surfaces graded to direct stormwater to the stormwater treatment measures/ water sensitive urban design elements.

The stormwater treatment measures/ water sensitive urban design elements is generally in accordance with the approved stormwater plans.

Name of Authority having the power to release, vary or modify the terms of restriction on the use of land is **City of Parramatta Council**.

**Terms of positive covenant**

1. The registered proprietor(s) covenant as follows with the Council benefited in respect to the stormwater treatment measures/ water sensitive urban design elements constructed and/ or installed on the lots(s), that they will:
  - (a) Keep the stormwater treatment measures/ water sensitive urban design elements clean and free from silt, rubbish and debris;
  - (b) Maintain and repair the stormwater treatment measures/ water sensitive urban design elements at the sole expense of the registered proprietor(s), so that it functions in a safe and efficient manner, in accordance with the manufacturers recommended requirements and/ or the "maintenance and procedures operational plan" as approved by the PCA with the relevant Construction Certificate.
  - (c) For the purposes of ensuring observance of this covenant, permit City of Parramatta Council and/or its authorised agents to enter the land and inspect the condition of the stormwater treatment measures/ water sensitive urban design elements and the state of construction,
  - (d) maintenance or repair of the stormwater treatment measures/ water sensitive urban design elements, for compliance with the requirements of this covenant.
  - (e) Notify Council after each programmed maintenance inspection.
  - (f) Comply with the terms of any written notice issued by the Council to attend to any matter and carry out such work within the time stated in the notice, to ensure the proper and efficient performance of the stormwater treatment measures/ water sensitive urban design elements and to that extent Section 88F(2)(a) of the Conveyancing Act 1919 is hereby agreed to be amended accordingly.
2. Pursuant to Section 88F(3) of the Act the Council shall have the following additional powers pursuant to this covenant:
  - (a) In the event that the registered proprietor fails to comply with the terms of any written notice issued by the Council as set out above, the Council and/or its authorised agents may enter the land with all necessary equipment and carry out any work considered by Council to be reasonable to comply with the said notice referred to above; and
  - (b) The Council may recover from the registered proprietor in a Court of competent jurisdiction:
    - (i) Any expense reasonably incurred by it in exercising its powers under subparagraph (a) above. Such expense shall include reasonable wages for employees engaged in effecting, supervising and administering the said work, together with costs, reasonably estimated by Council, for the use of materials, machinery, tools and equipment used in conjunction with the said work.
    - (ii) Legal costs on an indemnity basis for issue of the said notices and recovery of the said costs and expenses together with the costs, charges and expenses of registration of a covenant charge pursuant to Section 88F of the Act or providing any certificate required pursuant to Section 88G of the Act or obtaining any injunction pursuant to Section 88H of the Act.
3. This covenant shall bind all persons who are of claim under the registered proprietor(s) as stipulated in Section 88E(5) of the Act.

For the purpose of this covenant, the expression "stormwater treatment measures/ water sensitive urban design elements" means the infiltration systems, GPT, WSUD filters, porous pavement, sediment basins, bioretention swales, bio-retention basins, rain gardens, landscaped or vegetated swales, vegetated buffers, swale/ buffer systems, sand filter, wetlands, ponds, retarding basins, aquifer storage and recovery, rainwater reuse tanks, stormwater reuse tanks, gross pollutant traps, pit inserts, silt/ oil arrestors or other

proprietary products including all ancillary gutters, pipes, drains, walls, kerbs, pits, grates, tanks, chambers, basins or surfaces graded to direct stormwater to the stormwater treatment measures/ water sensitive urban design elements.

Name of Authority having the power to release, vary or modify the terms of the positive covenant is **City of Parramatta Council**.

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

#### Landscape (Prior to OC)

##### ***Qualified Landscape Architect***

189. 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.

#### Public Domain (Prior to OC)

##### ***Public Domain***

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

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

Council will issue the final approval for public domain works in accordance with the approved public domain documentation and to Council's satisfaction. A final inspection will be conducted by Council's Assets and Environment Team after all the works are completed at this inspection Council will note any defects that are to be rectified. The Certificate of Completion shall not be issued until Council's final approved is obtained.

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

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

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

#### Environmental Health (Prior to OC)

##### ***Submission of Reports***

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

- (a) Amended detailed site investigation No. 63713/150192, dated 26 June 2023, prepared by JBS&G Australia Pty Ltd

- (b) Pre- Demolition Hazardous Building Materials Survey No. 63713/148,456 (Rev 0), dated 8 December 22, prepared by ©JBS&G Australia Pty Ltd
- (c) Construction & Environmental Management Plan No. D08809365, dated 5 December 22, prepared by Mirvac Constructions Pty Ltd
- (d) *Amended Operational Waste Management Plan* No. 4485 Revision E, dated 28 July 2023, prepared by Elephants Foot Consulting (EFC)

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

***Notification of food business – Council***

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

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

***Certify mechanical ventilation installation***

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

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

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

194. Certification to be provided to the principal certifying authority (PCA), prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety standards prescribed under the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004.

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

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

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

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

- (a) Amended Noise and Vibration Impact Assessment No. P00377, dated 28 July 2023, prepared by prepared by E-LAB Consulting.

(b)

- (c) Construction Noise and Vibration Management Plan No P00377 Dated 24 November 2022, Prepared by E-LAB Consulting.

(d)

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

***Details of commercial contract for collection***

196. Prior to issue of the occupation certificate, the applicant shall enter into a commercial contract for the collection of trade wastes and recyclable materials arising from business operations on site. A copy of all waste contracts and receipts shall be kept on site and made available to Council officers on request.

**Reason:** To comply with the Requirements of the Protection of the Environment Operations Act 1997 and Regulations.

***Ventilation – waste storage rooms***

197. Adequate ventilation to the waste storage room shall be provided in accordance with the requirements of the Building Code of Australia. Certification that the system functions in

accordance with Australian Standard AS 1668 is to be provided to the certifying authority prior to occupation of the premises.

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

#### Waste (Prior to OC)

##### ***Waste Collection Facilities***

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

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

##### ***Waste Lockbox***

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

**Reason:** To ensure appropriate access for waste collection.

##### ***Waste By-Laws***

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

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

##### ***Creation of Easement - Waste***

201. Prior to the issue of a Subdivision Certificate, an easement entitling Council waste contractors to enter the site for the purposes of garbage collection must be granted to Council by the owner of the land. The easement must be in a form prescribed by Council and must include covenants to the effect that parties will not be liable for any damage caused to the property by reason of the operation of any vehicle or other equipment used in connection with the collection of garbage and to the effect that the owner of the land shall indemnify the Council, its agents and persons.

**Reason:** To indemnify Council for damages arising from the collection of wastes onsite.

#### **Operational Conditions - The Use of the Site**

##### Planning (Use)

##### ***Operating Hours – Temporary Golf Club***

202. The days and hours of operation of the temporary golf club are restricted to:

Day	Time
Monday	6am to 12am midnight
Tuesday	6am to 12am midnight
Wednesday	6am to 12am midnight
Thursday	6am to 12am midnight
Friday	6am to 12am midnight
Saturday	6am to 12am midnight
Sunday	6am to 12am midnight
Public Holidays	6am to 12am midnight

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

##### ***Servicing Hours – Temporary Golf Club***

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

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



**Operating Hours –Golf Club, Café and Outdoor Terrace**

204. The days and hours of operation of the golf club, café and outdoor terrace area are restricted as follows:

**Golf Club Operating Hours**

Day	Time
Monday	6am to 12am midnight
Tuesday	6am to 12am midnight
Wednesday	6am to 12am midnight
Thursday	6am to 12am midnight
Friday	6am to 12am midnight
Saturday	6am to 12am midnight
Sunday	6am to 12am midnight
Public Holidays	6am to 12am midnight

**Operating Hours – Café**

Day	Time
Monday	6am to 10pm
Tuesday	6am to 10pm
Wednesday	6am to 10pm
Thursday	6am to 10pm
Friday	6am to 10pm
Saturday	6am to 10pm
Sunday	6am to 10pm
Public Holidays	6am to 10pm

**Operating Hours – Outdoor Terrace**

Day	Time
Monday	7am to 10pm
Tuesday	7am to 10pm
Wednesday	7am to 10pm
Thursday	7am to 10pm
Friday	7am to 10pm
Saturday	7am to 10pm
Sunday	7am to 10pm
Public Holidays	7am to 10pm

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

**Approval from Authority (Registered Club)**

205. The supply and/or sale of alcohol is not permitted on the premises prior to separate consent being obtained from the Office of Liquor Gaming and Racing. Such consent must be submitted to Council prior to occupation of the premises.

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

**Servicing Hours –Golf Club**

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

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

**Ground Level Appearance**

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

**Reason:** To provide an appropriate streetscape appearance.

**Emergency Management Plan**

208. The Emergency Management Plan required by this consent shall be implemented at all times. The Plan shall be updated as required to accommodate any changes in the operation of the

building or updates to relevant legislation. Copies of the updated Emergency Management Plan shall be distributed to all new residents on arrival.

**Reason:** To minimise risk to human life.

***Shopfront Appearance***

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

**Reason:** To provide an appropriate streetscape appearance.

***Goods Not to be Displayed Outside Premises***

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

**Reason:** To ensure visual amenity.

Engineering (Use)

***Flood warning system for medium density***

211. The property owner/body corporate is to ensure the warning system is in good working order, through regular testing and maintenance.

**Reason:** To ensure the integrity of the flood warning system.

Landscape (Use)

***Landscape maintenance***

212. 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.

Environmental Health (Use)

***Storage of hazardous materials or toxic materials***

213. To ensure hazardous and toxic materials are not a threat to the environment, they must be stored in accordance with Safework Authority NSW requirements. All tanks, drums and containers of toxic and hazardous materials shall be stored in a bunded area. The bund walls and floors shall be constructed of impervious materials and shall be of sufficient size to contain 110% of the volume of the largest tank plus the volume displaced by any additional tanks within the bonded area.

**Reason:** To ensure the health and safety of the public and workers.

***Holding facilities for oils and liquids***

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

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

***Dangerous goods storage***

215. All Dangerous Goods shall be stored in accordance with:
- (a) AS 1940-2017 : The Storage and Handling of Flammable and Combustible Liquids;
  - (b) Work Health and Safety Act 2011; and
  - (c) Managing risks of hazardous chemicals in the workplace Code of Practice 2018.

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

***Storage of hazardous material in bunded area***

216. All aboveground storages of hazardous materials, oils and chemicals are to be bunded. The bund is to be made of any impervious material and should be roofed and large enough to hold the contents of the largest container plus 10%.

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

***Material Safety Data Sheets***

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

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

***Hazardous materials disposal***

218. To reduce the risk of pollution to natural water courses, all hazardous waste materials are to be stored, used and disposed in accordance with plans, detail and recommendations submitted by Mirvac Constructions Pty Ltd, dated 5 December 22, Reference No. D08809365.

**Reason:** To ensure that any liquid spills can be contained on site and prevent the contamination of stormwater drains

***Food premises***

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

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

***Remove putrescible waste at sufficient frequency***

220. 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.

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

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

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

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

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

- (a) transmission of unacceptable vibration to any place of different occupancy;
- (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.

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

***Noise from mechanical equipment***

223. 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.

***Use of Premises***

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

- (a) transmission of unacceptable vibration to any place of different occupancy;
- (b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

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

***Management of waste storage facilities***

225. 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.

***Plan of Management Compliance***

206. The Golf Club Proposed Plan of Management required by this consent shall be adhered to at all times unless otherwise required by this consent.

**Reason:** To ensure appropriate use of the site.

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

226. The use of the premises not giving rise to:
- (a) transmission of unacceptable vibration to any place of different occupancy;
  - (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.

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

***Neighbourhood Amenity near Licensed Premises***

227. Signs must be placed in clearly visible positions within the club requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.

The management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management/licensee must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by Council, the management/licensee is to employ private security staff to ensure that this condition is complied with.

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

***No 'offensive noise'***

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

**Reason:** To reduce noise levels.

***Noise from mechanical equipment***

229. 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.

***Noise to street***

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

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

***Use of Premises***

231. The use of the premises not giving rise to:
- (a) transmission of unacceptable vibration to any place of different occupancy;
  - (b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

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

***Air Conditioners in Residential Buildings***

232. The air conditioner/s must not:
- a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
    - (i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
    - (ii) before 7.00am and after 10.00pm on any other day.
  - b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those as specified in (1), which exceeds the background (LA90, 15 minute) by more than 5dB(A).

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

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

***Remove putrescible waste at sufficient frequency***

233. 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.

***Storage of bins between collection periods***

234. 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.

No bins to be placed on the turntable at any time

**Reason:** To ensure waste is adequately stored within the premises and the turntable is available for use.

***Turntable Servicing and Maintenance***

235. A copy of the most recent service and contact number for maintenance of the vehicular turn table is to be kept in a visible place adjacent to the turn table.

If the turntable breaks down, it needs to be reported immediately to Council's Waste Team.

**Reason:** To ensure maintenance of turntable facilities and ensure Council can provide waste services to the site.

Traffic (Use)

**Roller Shutter**

236. The roller shutter door is to be provided at the driveway entry and exit, it is to be opened at all times during the operating hours of the golf club.

**Reason:** To comply with Council requirements and the Australian Standards.

**Car Share**

237. A minimum of one car parking space is to be allocated for car share parking space on street. The car share parking space shall be publicly accessible at all times, adequately lit and sign posted. Written evidence shall be provided with the development application demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service.

The PCA shall ascertain that agreement with a commercial operator is subscribed prior to issue of the construction certificate. Details are to be illustrated on plans submitted with the construction certificate.

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

Crime Prevention (Use)

**Golf Club**

238. The golf club is required to join and be an active member of the Cumberland Liquor Accord. This means the licensee is obliged to be a financial member in good standing and attend at least 75% of all meetings of the accord each calendar year;

**Reason:** To ensure the golf club is operated in accordance with the Liquor License.

**Plan of Management**

239. The applicant complies with the Plan of Management submitted with the application, and any changes to the Plan of Management must be approved by Cumberland Police Area Command Licensing Section;

**Reason:** To ensure the golf club is operated in accordance with the Plan of Management.

**Noise**

240. Any noise emanating from the premises must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.

**Reason:** To ensure the amenity to guests and surrounding neighbours.