

## DRAFT CONDITIONS OF CONSENT

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

**Development Consent No.:** DA/344/2023

**Property Address:** 85-91 Thomas Street - LOT 13 DP 1239,  
LOT 16 DP 1239, LOT 15 DP1239, LOT 142  
DP 537053

### PART A – GENERAL CONDITIONS

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

Architectural Drawings DA/344/2023

Drawing No.	Issue	Plan Title	Dated
03	F	Local Character and Context – The Street Scale	21/11/2024
04	F	Local Character and Context – The Site Scale	21/11/2024
06	F	Built Form Development	21/11/2024
07	F	Massing Analysis	21/11/2024
08	F	Demolition Plan	21/11/2024
09	F	Project Information - 1	21/11/2024
10	F	Project Information - 2	21/11/2024
12	F	Perspectives	21/11/2024
13	F	Perspectives	21/11/2024
14	F	Basement Floor Plan	21/11/2024
15	F	Mezzanine Floor Plan	21/11/2024
16	F	Ground Floor Plan – 1	21/11/2024
17	F	Ground Floor Plan – 2	21/11/2024
18	F	Level 1 – Floor Plan	21/11/2024
19	F	Level 2 – Floor Plan	21/11/2024
20	F	Level 3 – Floor Plan	21/11/2024
21	F	Roof Floor Plan	21/11/2024
22	F	Pre/Post Adaptation Unit Plans	21/11/2024

Drawing No.	Issue	Plan Title	Dated
23	F	Pre/Post Adaptation Unit Plans & silver Liveable Unit Plans	21/11/2024
24	F	Section A & Section B	21/11/2024
25	F	Section C & Section D	21/11/2024
26	F	Section E	21/11/2024
27	F	North Elevation	21/11/2024
28	F	South Elevation	21/11/2024
29	F	East Elevations	21/11/2024
30	F	West Elevations	21/11/2024
31	F	North and South Elevations	21/11/2024
38	F	Height Plane Analysis	21/11/2024

### **Civil Drawings/Stormwater DA/344/2023**

Drawing No.	Issue	Plan Title	Dated
101	E	Stormwater Concept Plan Basement Level – Sheet 1 of 2	27/11/2024
102	B	Stormwater Concept Plan Basement Level – Sheet 1 of 2	02/02/2024
102.1	D	Stormwater Layout Plan Mezzanine Level	27/11/2024
103	H	Stormwater Concept Plan Ground Level	27/11/2024
105	E	OSD Calculation and Details	07/02/2024
106	C	Catchment Plan and Music Results	15/05/2023
107	D	Raingarden Details & Water Balance Calculations Sheet	07/02/2024
108	A	Sediment & Erosion Control Plan & Details	16/03/2023
109	C	Miscellaneous Details Sheet	07/02/2024

### **Landscape Drawings DA/344/2023**

Drawing No.	Issue	Plan Title	Dated
100	H	Landscape Site Plan	25/10/2024
C101	H	Landscape Plan – Ground Floor (Colour)	25/11/2024
101	H	Landscape Plan – Ground Floor	25/11/2024
102	I	Landscape Plan - Terrace Garden (L2 & L3)	25/11/2024
201	H	Planting Plan	25/11/2024

202	I	Planting Plan – Terrace Garden (L2 & L3)	25/11/2024
500	H	Landscape Specifications/Plant Schedule	07/11/2024
501	D	Landscape Details	22/10/2024
502	D	Landscape Details	22/10/2024

### **Specialist Reports**

<b><u>Document</u></b>	<b><u>Ref No.</u></b>	<b><u>Issue</u></b>	<b><u>Prepared By</u></b>	<b><u>Dated</u></b>
Statement of Environmental Effects	-	-	Gyde	13/06/2023
Waste Management Plan	-	2.8	Solution Traffic Engineer	May 2023
Access Report	23066	C	Vista Access Architects	17/05/2024
Acoustic Report	2023-138	-	ANAVS Solutions	31/05/2023
Arborist Report	-	-	Lee Hancock	17/04/2023
BCA Report	8236	2	Certis Pty Ltd	17/05/2023
Geotechnical and Acid Sulphate Soils Report	P2079_03	-	Morrow	24/01/2023
Flood Risk Management Plan	-	E	C&S Engineering Services	18/05/2023
Heritage Impact Report	7892	Rev. 3	Niche Environment and Heritage	29/05/2023
Ecological Assessment Report	-	-	Travers Bushfire & Ecology	16/05/2024
Traffic and Access Assessment Report	-	-	Solution Traffic Engineers	May 2024

**Note:** In the event of any inconsistency between the approved plans and/or the civil drawings and/or landscape plans and/or supporting documentation, the approved plans prevail.

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

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

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

2. The Access Report prepared by Vista Access Architects, reference No. 23066, Issue C, dated 17/05/2024, shall be updated (if required) to reflect the final approved development and submitted to the satisfaction of the PCA at the Construction Certificate stage. Any recommendations and/or issues outlined in the revised access report shall be implemented during subsequent works, and during the future occupation of the development if required/relevant.

**Reason:** To ensure fully compliant accessibility measures and detailed universally accessible design.

3. The applicant must complete the application for connection of load process with Endeavour Energy's Customer Network Solutions Branch who are responsible for managing the conditions of supply with the applicant and their Accredited Service Provider (ASP) and will provide the final approval to the design package for the provision of electricity supply to the proposed development.

Generally, it is the Level 3 ASP's responsibility (engaged by the applicant / developer) to make sure substation location and design complies with Endeavour Energy's standards the suitability of access, safety clearances, fire ratings, flooding etc.

Endeavour Energy's network asset design policy is generally to progressively underground all new urban developments. All new cabling / reticulation infrastructure must be of an underground construction type. Where existing overhead construction is present on or in proximity of the site, it may require undergrounding as the development proceeds.

Endeavour Energy is urging applicants /customers to engage with an Electrical Consultant / Accredited Service Provider (ASP) prior to finalising plans in order to assess and incorporate any required electricity infrastructure. In so doing the consideration can also be given to its impact on the other aspects of the proposed development. This can assist in avoiding the making of amendments to the plan or possibly the need to later seek modification of an approved development application.

Whilst there are a number of distribution substations in proximity of the site which are likely to have some spare capacity, it is unlikely to facilitate a significant urban development. As well as the capacity of distribution substations, other factors such as the size and rating / load on the conductors and voltage drop (which can affect the quality of supply particularly with long conductor runs) etc. need to be assessed.

Accordingly, an extension and / or augmentation of the existing local network is likely to be required. However the extent of the works will not be determined until the final load assessment is completed. Endeavour Energy's preference is to alert proponents / applicants (and Council) of the potential matters that may arise as further development of areas continues to occur.

In due course the applicant for the proposed development of the site will need to submit an appropriate application based on the maximum demand for electricity for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Straightforward applications can be completed online and permission to connect may be provided immediately if submitting a complying application.

Depending on the outcome of the assessment, any required padmount substation will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please refer to Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'.

### Streetlighting

With the significant increase in both vehicular and pedestrian traffic, the streetlighting for the proposed development should be reviewed and if necessary upgraded to comply with the series of standards applying to the lighting of roads and public spaces set out in with Australian/New Zealand Standard AS/NZS 1158: 2010 'Lighting for roads and public spaces' as updated from time to time.

Whilst the determination of the appropriate lighting rests with the road controlling authority, Endeavour Energy as a Public Lighting Service Provider is responsible for operating and maintaining the streetlights on behalf of local councils, Roads and Maritime Services and other utilities in accordance with the NSW Public Lighting Code 2019 (Code) as updated from time to time. Endeavour Energy recognises that well designed, maintained and managed Public Lighting offers a safe, secure and attractive visual environment for pedestrians and drivers during times of inadequate natural light.

For any Code implementation and administration / technical matters please contact Endeavour Energy's Substation Mains Assets Section via Head Office enquiries on business days on telephone: 133 718 or (02) 9853 6666 from 9am - 4:30pm or email mainsenquiry@endeavourenergy.com.au .

Works should also follow and comply with *Endeavour Energy's Standard Conditions for Development Applications and Planning Proposals – Version 8 May 2023*.

For further information please also refer to the Endeavour Energy's:

*'Guide to Fencing, Retaining Walls and Maintenance Around Padmount Substations'*.

The use of a fire screen wall also requires a positive covenant as per Endeavour Energy's *'Easements and Property Tenure'* guide.

Works are to comply with Endeavour Energy's *'Standard Conditions for Development Applications'* guide and *'Works Near Underground Assets'* guide where relevant.

**Reason:** To ensure compliance with the electricity supply authority's requirements.

4. The Department of Planning and Environment - Water provides concurrence to the part of the development requiring a **Controlled Activity Approval** under the *Water Management Act 2000*, subject to the General Terms of Approval (GTA) attached as Appendix A to this consent and dated 14 November 2024.

**Reason:** To ensure works are carried out in accordance with the *Water Management Act 2000*.

5. 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.

6. 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.

7. The operation of the premises is to be conducted in a manner which does not pollute waters as defined by the Protection of the Environment Operations Act 1997.

**Reason:** To ensure that stormwater drains are not polluted.

8. 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.

9. Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Interim Australian Standard DR AS/NZS 4282:2018 The Control of the Obtrusive Effects of Outdoor Lighting.

**Reason:** To protect the amenity of the surrounding neighbourhood from the emission of light.

10. 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.

11. 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.

12. 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.

13. 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

14. The following trees are to be **retained** and protected: 5, 6, 7, 8, 15, 16, 17, 20. Tree Protection measures are to be shown and discussed on a tree protection plan.

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

15. Trees equal to or greater than five (5) metres in height, which are protected under the Parramatta Development Control Plan (DCP) 2023 (Part 5.3.4 Tree and Vegetation Preservation), must not be removed or damaged without Council consent.

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

16. A minimum Australian Qualification Framework Level 3 arboriculture service provider is to remove the following street trees:

Tree No.	Name	Common Name	Name of Street Frontage
18	<i>Melaleuca citrinus</i>	Red Bottlebrush	85 Thomas Street
19	<i>Zelkova serrata</i>	Japanese Zelkova	89 Thomas Street

**Note:** All approved tree removal works must conform to the Code of Practice for Amenity Tree Industry 1998.

The following street trees shall be planted within the road reserve;

Qty	Name	Common Name	Minimum Pot Size	Name of Street Frontage	Spacing
4	<i>Eucalyptus robusta</i>	Swamp Mahogany	100L	85 – 91 Thomas Street	10m intervals

**Note:** All approved street tree plantings shall be planted a minimum of 3m from any driveway and 12m from an intersection.

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

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

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

18. To prevent the spread of exotic grasses and weeds into the adjoining bushland, the applicant must construct a physical barrier along the edge of the turf area. The barrier is to be installed underground as well as aboveground to provide a root barrier and to delineate the mown area from bushland areas.

**Note:** Acceptable materials are timber, logs, rock or concrete and mulched garden beds.

**Reason:** To minimise the impacts of the development on the bushland reserve.

19. Mangrove or saltmarsh communities located along the foreshore of the subject site shall not be removed or damaged during construction works without approval from the NSW Department of Primary Industries under the Fisheries Management Act 1994.

**Reason:** To ensure protection of foreshore vegetation and that required approvals have been obtained.

20. 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.

21. All works must be carried out so that:

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

Any material that does enter the (Insert waterway) must be removed immediately.

**Reason:** To ensure protection of waterways.

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

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

23. 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.

24. Approval is granted for the demolition of all buildings and structures as identified on the approved demolition plan 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 Safe Work NSW 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 contain with asbestos approval to commence demolition will not be given until Council is satisfied that all asbestos removal measures and obligations are in place.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, signage is to be erected and maintained in accordance with Cl.469 of the Work Health and Safety Regulation 2017.
- (f) Should the conditions of this development consent require tree protection measures then demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Prior to the commencement of any demolition works, and where the site ceases to be occupied during works, the property owner must notify Council to discontinue the domestic waste service and to collect any garbage and recycling bins from any dwelling/ building that is to be demolished. Waste service charges will continue to be charged where this is not done.

Construction and/ or demolition workers are not permitted to use Council's domestic waste service for the disposal of any waste.

- (i) Demolition works involving the removal and disposal of friable asbestos must be undertaken by a Class A friable licensed asbestos professional. Where there is in excess of 10sqm of non-friable (bonded) asbestos, the removal and disposal of the non-friable asbestos must be undertaken by either a Class A or Class B Asbestos Licence asbestos professional.
- (j) Demolition is to be completed within 5 days of commencement. Unless agreed in writing by the City of Parramatta Council for larger sites.
- (k) Demolition works are restricted to Monday to Saturday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Sundays or Public Holidays.
- (l) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (m) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
  - (i) Proposed ingress and egress of vehicles to and from the construction site;
  - (ii) Proposed protection of pedestrians adjacent to the site;
  - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
- (n) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environment Protection Authority (EPA).
- (o) Before demolition works begin, adequate toilet facilities are to be provided.
- (p) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (q) Within 14 days of completion of demolition, the applicant must submit to Council:
  - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
  - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
  - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.
  - (iv) Prior to any earthworks or construction undertaken on site associated with the proposed development, ensure the above items are submitted and a post demolition clearance is provided from Council.

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

25. A monetary contribution comprising \$1,058,964.44 is payable to City of Parramatta Council in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979 and the City of Parramatta (Outside CBD) Development Contributions Plan 2021 Amendment 1. Payment must be made by direct bank

transfer or credit/debit card only. Payment can be made by contacting Council's Customer Contact Centre on 1300 617 058.

Payments comprise of the following:

Contribution Type	Amount
Open space and outdoor recreation	\$689,625.21
Indoor sports courts	\$62,854.78
Community facilities	\$82,667.40
Aquatic facilities	\$19,266.32
Traffic and transport	\$194,439.85
Plan administration	\$10,110.88
<b>Total</b>	<b>\$1,058,964.44</b>

Timing of payment

The contribution is to be paid to Council prior to the first construction certificate. Deferred payments of contributions will not be accepted, and requests for payment by multiple instalments will not be granted.

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation. Therefore, please visit 'Live Contributions Fees' Register on the Council's Development Contributions webpage to confirm the amount payable prior to making payment.

The City of Parramatta (Outside CBD) Development Contributions Plan 2021 Amendment 1. can be viewed on Council's website at: <https://www.cityofparramatta.nsw.gov.au/businessdevelopment/planning/development-contributions>

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

**PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE**

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

26. Prior to the issue of a Construction Certificate, a Vegetation Management Plan (VMP) for the riparian corridor located within the subject site must be prepared by an appropriately qualified Bushland Management Consultant and be submitted to Council for approval. The VMP must be consistent with the NSW Department of Industry Guidelines for controlled activities on waterfront land - Riparian Corridors (2018) and must achieve a gradual removal of weeds and replacement with native species that are descriptive of the vegetation community. A commencement date for the vegetation management works must be included in the VMP.

**Reason:** To ensure restoration of riparian corridor and meet the requirements under the Biosecurity Act 2015. The final approved VMP must be implemented following occupation of the development and in perpetuity after that. The VMP must be kept consistent and reviewed and updated every 4 years in consultation with Council.

27. Prior to the issue of a Construction Certificate for any construction work relating to the ground floor, including slab pour, public domain works, or any other above-ground structure, a set of detailed **Public Domain Construction Drawings** must be submitted to and approved by the 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, front setback,
- Any publicly accessible areas.
- Any works in the carriageway, and
- Onsite landscape work

Grading of the pedestrian footway:

- Detailed design spot levels and designed contour lines are required.
- Localised flattening of public footpath levels at building doorways is not permitted. Any level change 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 the Council. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.

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

- The latest City of Parramatta Public Domain Guidelines (PDG).
- The Landscape Plan by Site Image rev H dated 25.11.2024 with modifications to the street trees (to be updated to show the existing and proposed street tree locations and species and sent for approval to Council).
- The Public Domain Works and Civil Engineering Plans by Civil & Stormwater Engineering Services Pty. Ltd. Are to be updated to show the existing and proposed street tree locations and sent for approval to Council.
- All the conditions listed in this consent.

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

- Changes to the street trees to meet the criteria for large trees greater than 13m in height.

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

### Footpath

The footpath paving set out and details must comply with Council's design standard (DS45).

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

The standard concrete paving, as per the PDG and Council Standard detail DS 3, shall be applied to Thomas Street to the full length of the development site. A footpath width of 1500 mm is required. Detailed design spot levels are required. Cross and longitudinal fall details must be provided in percentage to ensure compliance and to ensure no localised ponding.

All kerb and gutter around the entire frontage of the development to be reconstructed to the City of Parramatta specifications and drawings. The roadway must be reconstructed to the CoPC specifications where the new kerb and gutter has been constructed and as directed by CoPC staff. The roadway must be reconstructed to a minimum of 500mm or the furthest point of damage or to where water can access the gutter due to level changes.

The driveway crossing to be constructed to the CoPC specifications and drawings DS9 and DS10. Internal levels must be modified to comply with these standards specifications and drawings.

A smooth transition between the new assets and the existing assets must be achieved. The new asset e.g., footpath must be constructed as per plan specifications or as instructed, and the existing assets must be reconstructed where needed.

### Vehicle Crossing

Council's standard vehicle crossing is to be provided. Refer to 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. 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.

### 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. Streetlights in the public domain to located at the back of kerb within the furniture zone as per the PDG.

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

28. Street Trees - The required street tree species, quantities and supply stocks are to be in accordance with the updated landscape plan to be submitted to Council for approval (prior to the issue of the Construction Certificate) and the below advice:

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

Evidence of the order for trees must be submitted to the DTSU with the Public Domain Construction Drawings.

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

The requirements for height, calliper and branch clearance for street trees should be in accordance with AS2303:2018. Consistent tree pit size and construction is to be used throughout the public domain areas around the site for the street tree planting. The street tree must be planted in accordance with Council's design standard drawing with adequate clearances to other street elements in accordance with the Public Domain Guidelines.

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

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

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

29. 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.

30. 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.

31. 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.

32. 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.

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

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

- (i) **“Stormwater Management Plans”**, prepared by Civil & Stormwater Engineering Services Pty Ltd, project number 200994, Drawing numbers 101-109, as listed in Condition No.1 of this consent..
  - (b) A Site Storage Requirement of 244.38 m<sup>3</sup>/ha and a Permissible Site Discharge of 72.22 L/s/ha (when using 3rd edition of UPRCT’s handbook)
  - (c) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.
  - (d) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.  
**Reason:** To minimise the quantity of storm water run-off from the site, surcharge from the existing drainage system and to manage downstream flooding.
34. According to Stormwater plans prepared by Civil & Stormwater Engineering Services Pty Ltd, project number 200994, Drawing numbers 101-109 (as listed in Condition No.1 of this consent), water quality treatment devices must be installed to manage surface runoff water to Parramatta River to satisfy section 8.2.7.5.9 of Parramatta City Council Development Control Plan 2023. Details of the proposed devices and their location must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.  
**Reason:** To ensure appropriate water quality treatment measures are in place.
35. 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.
36. 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.
37. A standard vehicular crossing shall be constructed in accordance with Council's Standard Drawing numbers DS8 and DS10. Details must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

A Vehicle Crossing application must be submitted to Council together with the appropriate fee as outlined in Council's adopted Fees and Charges prior to any work commencing.

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

38. 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.

39. A total of 8 accessible car-parking spaces must be provided as part of the total car-parking requirements. These spaces and access to these spaces must comply with AS2890.6 - 'Parking facilities' - 'Off-street parking for people with disabilities and AS1428.1 - 'Design for access and mobility' - General requirements for access - New building work' 2001 and 2009 and AS1428.4 - 'Design for access and mobility' - 'Tactile ground surface indicators for orientation of people with vision impairment' - 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009.

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

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

40. 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.

41. 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.

42. 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.

43. 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.

44. Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to reuse or being sent offsite. This includes waste materials such as paper and containers which must not litter the site or leave the site onto neighbouring public or private property. Receipts of all waste/recycling tipping must be retained and produced in a legible form to any authorised officer of the Council who asks to see them.

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

45. Plans and documents submitted must include the following changes with an application for a Construction Certificate:

- (a) Construction details are to be provided by a suitably qualified Structural Engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens.
- (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 which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect.
- (d) Soil volume, depth and soil area must meet the following prescribed standards in 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.

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

46. The final Landscape Plan must be consistent with plans prepared by Site Image, numbered SS20-4545 rev H dated 25.11.2024, together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:

- (a) Existing trees shall be numbered as per the Arboricultural Impact Assessment Report by Lee Hancock Consulting dated April 17<sup>th</sup> 2023 and are to include the TPZ and SRZ radiuses for coordination.
- (b) The soil volume (m3) within the planters, on structure, appears insufficient (note the depth is adequate) and does not meet the prescribed standards in the Apartment Design Guide (ADG) – Part 4, 4P *Planting on Structures*. The plans and section details must demonstrate all isolated planting areas (island planters) showing trees, are to be connected (contiguous) with the adjacent landscape areas, for example; using modular cells under the paving and providing 'letterbox' openings within the lower part of the planter walls to enable the soil and rootzones to connect to the adjacent soil zones.
- (c) Replace 5 x proposed street trees (*Callistemon viminalis* 75L) with 4 x *Eucalyptus robusta* 100L as per the Conditions.
- (d) Replace the 7 x *Callistemon viminalis* along the front setback with a narrow forming, native tree such as *Elaeocarpus eumundi* (Eumundi Quondong) and/or *Backhousia citriodora* (Lemon-Scented Myrtle)
- (e) Replace all *Waterhousia floribunda* (Wat flo) within the internal courtyard with a smaller suitable native tree such as *Banksia integrifolia* (coast banksia).
- (f) Replace the *Buxus microphylla Japonica* (Japanese Box) with a native, compact alternative shrub such as *Acmena 'Allyn Magic'*
- (g) On the roof terraces, replace the *Gordonia axillaris* (Fried Egg Plant) tree with a smaller species such as *Hymenosporum flavum* - *Native frangipani*
- (h) Delete the 2 x trees proposed to the western boundary adjacent to the OSDD and bin store.
- (i) Replace the *Corymbia maculata* (Spotted Gum) trees in the southwest and southeast corners with a smaller species such as *Buckinghamia celsissima* (Ivory Curl) and/or *Callistemon salignus* (White Bottlebrush) to avoid conflicting with the building façade.
- (j) Reduce the number of *Tristania laurina* (Watergum) trees along the eastern boundary from 6no. to 4no. (i.e. one per garden).
- (k) Replace *Buxus microphylla Japonica* (Japanese Box) with a native, compact alternative shrub such as *Acmena 'Allyn Magic'*
- (l) All proposed softscape details to be provided.
- (m) Details for all proposed hardscape structures to be provided.
- (n) Trees should be self-supporting from the nursery. Delete the tree stake from the typical tree detail unless trees are to be planted into a wind-prone area.

- (o) Trees on podium structure are to be secured using an under-ground guying system to avoid the visual clutter.
- (p) Update the 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.
- (q) All revised landscape plans are to be prepared by a professionally qualified Landscape Architect.

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

47. A Tree Protection Plan (TPP), prepared by a suitably qualified Consulting Arborist (Australian Qualification Framework Level 5), must accompany the application for a Construction Certificate. This TPP is to identify the 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. It will cover all stages of the works and any works to be supervised by the Project Arborist including:
- (a) A Tree Protection Plan must follow the tree numbers already identified in the existing Arboricultural Impact Assessment by Lee Hancock Consulting.
  - (b) Provide details of any encroachment into the root system and/or canopy on the plan;
  - (c) The TPP must identify the location and the specific tree protection type required for each tree inclusive of canopy, trunk and tree root protection in accordance with AS 4970-2009 - *Protection of Trees on Development Sites*.
  - (d) The TPP must discuss the specific non-destructive construction method of approved works within the TPZ's of trees numbered 5, 6, 7, 8, 15, 16, 17, 20x4 to minimise the impact and encroachment and discuss the specific protection measures required throughout the demolition and construction works.
  - (e) Discuss supervision of any approved excavation and/or works to be undertaken within the calculated Tree Protection Zones of the trees to be retained and protected.
  - (f) 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);
  - (g) Provide guidance on the approved landscaping (i.e. minimise cultivation, excavation planting techniques within the TPZ. No planting or structures to occur within the SRZ);
  - (h) Construction of any structure which requires a modified footing or that is to be built above grade;
    - Where works are to impact the tree canopies, a tree pruning diagram will be required to ensure the level of encroachment into the canopies will be minimised.
    - Where retained trees have a development setback and tree protection zone established, a recommended Tree Protection Specification and diagram should be provided in accordance with AS 4970—2009 *Protection of Trees on Development*.
  - (i) Any other stages that the Project Arborist deems necessary.
  - (j) Identify hold points at key stages in the construction works;
  - (k) Regular Periodic Tree Inspections are required to be carried out by the Project Arborist supervising the works. Photographic evidence and

statement demonstrating the works have been undertaken in compliance with the above requirements, AS4970:2009 and the Conditions of Consent.

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

48. All landscape works (including any street tree and turf planting in the street verge / nature strip/ road reserve) shall be maintained and watered 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.

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

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

50. 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 Schedule 9 of State Environmental Planning Policy (Housing) 2021 - Design Principles of Residential Apartment Development.

**Reason:** To comply with the requirements of SEPP (Housing) 2021.

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

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

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

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

52. 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 Principal Certifier 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.

53. Documentary evidence to the satisfaction of the Principal Certifier is to accompany the application for a Construction Certificate confirming satisfactory arrangements

have been made with the energy provider for the provision of electricity supply to the development.

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

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

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

54. The development must incorporate ten (10) adaptable dwellings. Plans submitted with the Construction Certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

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

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

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

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

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

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

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

58. 40 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.

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

59. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1 and AS 2890.6. A total of 77 parking spaces are to be provided and be allocated as follows:

- a) A minimum of 66 parking spaces for the residential units including eight (8) spaces as accessible parking;
- b) 11 visitor parking spaces including one (1) car wash bay.

The accessible parking spaces numbered 57, 66 and 67 are to be relocated such that the maximum gradient in any direction of the space and wheelchair loading areas, does not exceed a grade of 1:40 in any direction. Tandem car spaces are to be allocated to the same unit. Details are to be illustrated on plans submitted with the construction certificate.

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

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

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

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

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

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

- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

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

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

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

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

- 62. 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.

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

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

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

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

**Reason:** Management of records.

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

Where it is considered there is potential for the excavation to create a "dam" for natural groundwater flows, a groundwater drainage system must be

designed to transfer groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

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

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

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

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

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

65. Implementation of the site management plans

Erosion and sediment control measures are to be installed in accordance with:

- a) the measures required by the construction site management plan and the erosion and sediment control plan (plans), and
- b) a copy of these plans must be kept on site at all times and made available to council officers upon request.

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.

66. 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.

67. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:
- (a) Protect and support the adjoining premises from possible damage from the excavation
  - (b) Where necessary, underpin the adjoining premises to prevent any such damage.

**Note:** If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.

**Reason:** As prescribed under the Environmental Planning and Assessment Regulation 2021.

68. 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.

69. 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.

70. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:
- (a) The location of hazardous materials throughout the site;
  - (b) A description of the hazardous material;
  - (c) The form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
  - (d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
  - (e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;

- (f) Identification of the disposal sites to which the hazardous materials will be taken.

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

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

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

72. 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 Safework NSW hotline or their website [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au).

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

73. To control the spread of weeds or exotic seeds into the adjoining bushland reserve, a strip of filter fabric is to be attached to the sediment fence prior to the commencement of demolition, excavation or building works. The filter fabric is to be a minimum of 50mm into the existing ground, to extend a minimum 150mm above existing ground and securely attached to the entire length of the sediment fence. The build-up of sediment against the filter fabric is to be regularly removed and disposed of responsibly off site to ensure on-going effectiveness. Details demonstrating compliance is to be submitted to the Principal Certifying Authority.

**Reason:** To ensure protection of bushland and minimise the impacts of the development.

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

- (a) Appoint a Principal Certifier 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 Certifier 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.

75. 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 Certifier prior to the commencement of any work on site.

**Reason:** To ensure public safety.

76. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 70 of the Environmental Planning and Assessment Regulations 2021 detailing:

- (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 Certifier;
- (d) The development consent approved construction hours;
- (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
- (f) This condition does not apply where works are being carried out inside an existing building.

**Reason:** Statutory requirement.

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

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

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

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

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

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

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

78. 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) Identify sensitive location near the site;
- (b) Identify potential impacts (i.e. exceedance of the goals at the identified locations);

- (c) Mitigation measures to control noise and dust from the site, the noise reduction likely and the feasibility and reasonableness of these measures;
- (d) Selection criteria for plant and equipment;
- (e) Community consultation;
- (f) Details of work schedules for all construction phases;
- (g) Selection of traffic routes to minimise residential noise intrusion;
- (h) Schedule of plant and equipment use and maintenance programs;
- (i) Noise monitoring techniques and method of reporting results;
- (j) The methodology to be employed for handling and investigating any complaints should they arise;
- (k) Site induction details for employees and contractors; and
- (l) A declaration of available technologies and the reason for the selection of the preferred technology from a noise generating perspective should be included.

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

79. Prior to the commencement of work, a registered surveyor is to undertake a set out survey to identify the location of any easements, footings, slabs, posts and walls adjacent to a boundary. This is to ensure the development when complete, will be constructed wholly within the confines of the subject allotment and clear of any easements. This set out survey showing the location of the development relative to the boundaries of the site, easements, to be forwarded to the Principal Certifier 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.

80. Prior to the commencement of any works in the Public Domain or on any asset that will be handed over to Council to maintain, the consent holder must arrange for a schedule of inspections to be carried out by Council's Civil Infrastructure Unit.

The required Council inspections include (but are not necessarily limited to) the following where applicable and apply to all **Council** and **privately certified** projects.

- (a) Commencement of public domain works including tree protection measures installed and set out of tree pits;
- (b) Subgrade and formwork inspection following excavation for footings, drainage and pavements, tree pits showing root barriers, structural soil cell, sub-surface drainage and irrigation system as required;
- (c) Installation of required underground conduits;
- (d) Blinding layer / concrete slab base completion and initial (indicative) setout of pavers, street fixtures and fittings as applicable to ensure compliance with the requirements of the public domain guidelines;
- (e) Delivery of street trees to site. Trees shall be installed within 24hrs of delivery;
- (f) Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation/street trees and location of fixtures and fittings

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

### Defects

Any defects raised by Council officers during the above construction and defects period inspections will be notified in writing. Defects may include incorrect location of elements, unsatisfactory construction techniques or finishes, or any other non-compliances with the approved plans and specifications or the public domain guidelines.

All defects raised by Council's officer during the construction period or defects liability period need to be rectified prior to and signed off at the final defects inspection by Council's officer in order to achieve Occupation Certification. This applies to both Council and privately certified projects.

In addition, **all** construction works for stormwater systems to be handed over to Council must:

- (a) **prior to issue of a construction certificate** have a full set of plans stamped and approved by Council's Service Manager Civil Infrastructure.
- (b) be inspected by Council's Catchment Management team in line with the schedule of inspections agreed to with Council **prior to any works commencing**

Inspection of the works will be required (but not necessarily limited to) on the following stages:

- (a) construction of the stormwater pipe prior to backfilling of trench
- (b) construction of formwork to any drainage pits(s) prior to placement of concrete.
- (c) construction of any formwork to concrete pavement, footpath, driveway, kerb & gutter etc. and prior to placement of concrete.
- (d) The stormwater drainage work is to comply with all other Special Notes – Conditions of Approval on Council stamped and approved drawings.

**Note:** Inspections for all public domain and/or stormwater works must be booked **at least 24 hours** in advance by calling Council's Civil Infrastructure Unit on 9806 8250.

**Reason:** To ensure works are carried out in accordance with Public Domain requirements.

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

**Reason:** Prescribed condition EP&A Regulation, section 69(1).

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

Bond Type	Amount
Hoarding:	\$3,328.50

<b>Development Sites Bonds:</b>	\$27,040.00
<b>Street Trees:</b>	\$2,530.50

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.

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

Should a bank guarantee be lodged it must:

- Have no expiry date;
- Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/344/2023
- 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 ensure any damage to public infrastructure is rectified and public works can be completed.

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

83. 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.

84. 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.
85. 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.
86. 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.
87. 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.
88. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Council’s Guidelines for Controlling Dust from Construction Sites and Section 126 of the Protection of the Environment Operations Act 1997.  
**Reason:** To protect the amenity of the area.
89. 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.
90. 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 Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.  
**Reason:** To ensure appropriate disposal of asbestos materials.
91. 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.

92. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Safework NSW and the EPA, and with the provisions of:
- (a) Work Health and Safety Act 2011;
  - (b) NSW Protection of the Environment Operations Act 1997 (NSW); and
  - (c) NSW Department of Environment and Climate Change Environmental Guidelines; NSW EPA Waste Classification Guidelines.

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

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

**Reason:** To prevent pollution of the environment.

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.

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

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

95. No materials (including waste and soil), equipment or goods of any type are to be stored, kept or placed within the Tree Protection Zone (TPZ) of trees to be retained and protected, at any time. This is a No Access Zone.

The following activities are prohibited within the specified Tree Protection Zones:-

- All activities involving soil level changes and soil disturbance; (such as re-grading, excavation, compaction and any additional fill material)
- All types of cleaning activities;
- Refuelling;
- Trenching;
- Ripping or cultivation of soil;
- Mechanical removal of vegetation;
- Access and storage of plant, equipment & vehicles;
- Erection of site sheds;
- Cleaning
- Disposal of waste materials and chemicals including paint, solvents, cement slurry, fuel, oil and other toxic liquids;
- And any other activity likely to cause damage to the tree.

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

96. 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.
97. The following trees are approved to be **removed** to facilitate the development: 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15A, 18, 19  
**Reason:** To facilitate development.
98. 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.
99. 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.
100. The applicant is to ensure no storage or stockpiling of building materials, excavated fill or topsoil during the site works shall take place within 5m of adjoining bushland for the duration of on-site works.  
**Reason:** To ensure protection of bushland and minimise the impacts of the development.
101. A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.  
**Reason:** To ensure compliance with this consent.
- 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.
102. The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:
- 7am to 5pm on Monday to Friday
  - 7am to 5pm on Saturday

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

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

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

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

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

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

- 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.

103. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must record, but not necessarily be limited to:
- (a) The date and time of the complaint;
  - (b) The means by which the complaint was made;
  - (c) Any personal details of the complainants that were provided, or if no details were provided, a note to that effect;
  - (d) Nature of the complaints;
  - (e) Any action(s) taken by the applicant in relation to the complaint, including any follow up contact with the complainant; and
  - (f) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.

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

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

104. 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.

105. A signed registered survey certificate is to be submitted to the Principal Certifier at footing and/or formwork stage. The Certificate must indicate the location of the building in relation to all boundaries and easements and must confirm the finished floor level is consistent with that approved under this consent prior to any further work proceeding on the building.

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

106. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code) and ABCB Housing Provisions Standard.

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

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

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

The required inspections include the followings:

- Commencement of public domain works including set out of tree pits.
- Formwork inspection for all footpaths and footpath crossing call 9806 8250 minimum of 24 hours in advance of the required inspection.
- Commencement of the works including survey marks, sub-grade preparation and set out of kerb alignments.
- Delivery of street trees to site.
- Trees shall be installed within 24hrs of delivery; the contractor shall provide Council officers, a certification that the trees have been grown in accordance with AS2303:2018 to prove the quality of the tree stock.
- Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

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

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

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

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

108. 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.

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

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

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

110. In accordance with Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) 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 the details required by Section 63 of the Regulations.

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

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

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

- (d) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table)
- (e) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- (f) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The certificate must only be provided after conducting a satisfactory final inspection. The final inspection shall include the application of all the ancillary components of the system including but not limited to: step-irons, orifice plate, trash screen with appropriate wall attachment, hinged lockable grates, confined space sign, functioning return lap valve and relief drains within DCP sump etc.
- (g) Certificate of Structural compliance of the OSD tank shall reference the structural elements including floor slab/foundations, walls and cover slab from a qualified structural engineer

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

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

112. 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 and other WSUD assets as per the stormwater management plans prepared by Civil & Stormwater Engineering Services Pty Ltd, project number 200994, Drawing number 109, issue E, dated 07/2/2024 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.

Council's standard application form shall be lodged, accompanied by the required documents and plans, only after the completion, final inspection and certification of the on-site detention system.

The Positive Covenant and Restriction on the Use of Land is to be created through an application to NSW Land Registry Services using forms 13PC and 13RPA.

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

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

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

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

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

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

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

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

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.

115. All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with

Council's Standard Plan No. DS1. The reinstatement must be completed prior to the issue of an Occupation Certificate. All costs must be borne by the applicant.

**Reason:** To provide satisfactory drainage.

116. 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.

117. 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.

118. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 and/or 6.10 of the Environmental Planning and Assessment Act 1979.

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

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

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

120. Under Section 75 of the Environmental Planning & Assessment Regulation 2021, it is a condition of this development consent that all design and sustainability measures for 'BASIX development' should comply with relevant BASIX (building sustainability index). BASIX certificate No. 1381688M\_02 should be updated (and dated within three months of this consent/approval) achieving the required targets for the residential dwellings and prepared by an accredited assessor, and should be provided to the PCA.

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

121. Before the issue of the relevant occupation certificate, confirmation must be obtained from the relevant authority that any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications required as a result of the development, have been completed and this confirmation must be provided to the principal certifier.

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

122. 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 in Schedule 9 of State Environmental

Planning Policy (Housing) 2021 - Design Principles of Residential Apartment Development.

**Reason:** To comply with the requirements of SEPP (Housing) 2021.

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

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

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

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

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

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

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

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

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

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

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

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

126. 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.

127. 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.

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

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

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

**Reason:** To encourage proper waste and recycling practices onsite.

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

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

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

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

132. When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with Council's fees and charges policy.

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

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

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

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

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

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

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

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**Date:** 19 March 2025  
**Responsible Officer:** Eamon Murphy