

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/582/2023
Property Address: Lot 24 DP 35120, LOT 26 DP 35120, LOT 25 DP 35120
153-155 Pennant Street & 2 Collett Parade,
PARRAMATTA

PART A – GENERAL CONDITIONS

Approved Plans & Supporting Documents

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

Architectural Drawings (Prepared by DTA Architects Pty Ltd, Project No. 2022.013)

Drawing/Plan No.	Issue	Plan Title	Dated
2 of 30	D	Data Sheet	08/08/2024
3 of 30	C	Demolition Plan	08/08/2024
4 of 30	D	Site Plan	08/08/2024
5 of 30	E	Basement Floor Plan	08/08/2024
6 of 30	E	Ground Floor Plan	08/08/2024
7 of 30	E	Level 01 Floor Plan	08/08/2024
8 of 30	C	Level 02 Floor Plan	08/08/2024
9 of 30	D	Level 03 Floor Plan	08/08/2024
10 of 30	C	Roof Plan	08/08/2024
11 of 30	D	Elevations	08/08/2024
12 of 30	D	Elevations	08/08/2024
13 of 30	C	Sections	08/08/2024
14 of 30	C	Sections	08/08/2024
15 of 30	C	Sections	08/08/2024

Civil Drawings/Stormwater (Prepared by MSL Consulting Engineers Pty Ltd, Project No. 22079 BGYMW)

Drawing/Plan No.	Issue	Plan Title	Dated
1 of 14	D	Specification Sheet	21/10/2024
2 of 14	D	Roof Drainage Plan	21/10/2024
3 of 14	D	Level 3 Drainage Plan	21/10/2024
4 of 14	D	Level 2 Drainage Plan	21/10/2024

Drawing/Plan No.	Issue	Plan Title	Dated
5 of 14	D	Level 1 Drainage Plan	21/10/2024
6 of 14	D	Ground Floor Drainage Plan	21/10/2024
7 of 14	D	Basement Drainage Plan	21/10/2024
8 of 14	D	OSD Catchment Area	21/10/2024
9 of 14	D	OSD Tank – Base & Roof Plan	21/10/2024
10 of 14	D	OSD Sections	21/10/2024
11 of 14	D	Stormwater Details	21/10/2024
12 of 14	D	Sediment & Erosion Control Plan	21/10/2024
13 of 14	D	Sediment & Erosion Control Details	21/10/2024
14 of 14	D	Pipe Long Sections & Pipe Cover Design	21/10/2024

Hydraulic Plans (Prepared by Abel & Brown Pty Ltd, Project No. 3462 BGYMW)

Drawing/Plan No.	Issue	Plan Title	Dated
1 of 7	D	Hydraulic Services Plan Legend & Notes	09/08/2024
2 of 7	D	Hydraulic Services Plan Basement Floor Plan	09/08/2024
3 of 7	D	Hydraulic Services Plan Site/Ground Floor Plan	09/08/2024
4 of 7	D	Hydraulic Services Plan First Floor Plan	09/08/2024
5 of 7	D	Hydraulic Services Plan Second Floor Plan	09/08/2024
6 of 7	D	Hydraulic Services Plan Third Floor Plan	09/08/2024
7 of 7	D	Hydraulic Services Plan Roof Plan	09/08/2024

Electrical Civil Drawings (Prepared by Greenview Consulting Pty Ltd, Project No. 220283)

Drawing/Plan No.	Issue	Plan Title	Dated
SK01 1	1	Spatials – Basement Floor Layout	10/07/2024

Landscape Drawings (Prepared by Ray Fuggle & Associates Pty Ltd, Project No. 2022.013 BGYMW)

Drawing/Plan No.	Issue	Plan Title	Dated
-	C	Landscape Plan	07/08/2024

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Statement of Environmental Effects	-	-	NSW Land and Housing Corporation	April 2024
Clause 4.6 Variation Request – Height of Buildings	-	-	NSW Land and Housing Corporation	April 2024
Waste Management Plan	-	-	NSW Land and Housing Corporation	-
BASIX Certificate No. 1387861M_02	-	-	Greenview Consulting Pty Ltd	05 July 2023

Aboricultural Impact Assessment and Tree Management Plan	7779	-	Redgum Horticultural	09 June 2023
Traffic Impact Assessment	-	3	ParkTransit Pty Ltd	7 July 2023
SEPP 65 Design Verification Statement	-	-	DTA Architects	15 June 2023
Regulatory Compliance Report	230673-02 BCA Report	1	McKenzie Group Consulting	16 June 2023
Social Impact Assessment	-	-	NSW Land and Housing Corporation	April 2024
Geotechnical Report	-	A	Intrax Consulting Engineers Pty Ltd	17 January 2022
Access Report	23087-DA	R1.1	Ai Consulting	7 May 2023
Quantity Surveying Report	BGYMW	-	NSW Quantity Surveying Services	12 May 2023
Endeavour Energy Referral Letter	CNR-60886	-	Environmental Services Team	6 October 2023
Sydney Water Referral Letter	DA/582/2023	-	Growth Planning Team	8 November 2023

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

No encroachment on Council and/or Adjoining proper

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

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

Demolition of Buildings

3. Approval is granted for the demolition of all buildings and outbuildings currently on the property, subject to compliance with the following: -
 - (a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.

Note: Developers are reminded that 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 business 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 business days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta. 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 must not commence prior to the commencement date nominated in the written notice.
 - (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 business days of commencement. Unless notice in writing is provided to the City of Parramatta Council.
 - (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 business days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
 - (q) Within 14 business 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) 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.

Endeavour Energy Requirements

4. Conditions stipulated within the Endeavour Energy Letter dated 6 October 2023 (referred to in Condition No. 1) must be satisfied in full at the relevant stages of this consent.
Reason: To comply with concurrence matters pursuant to the Electricity Supply Act 1995 (NSW).

Sydney Water Requirements

5. Conditions stipulated within the Sydney Water Letter dated 8 November 2023 (referred to in Condition No. 1) must be satisfied in full at the relevant stages of this consent.
Reason: To comply with requirements of the Sydney Water Act 1994.

Hazardous/intractable waste disposed legislation

6. 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.

Require to notify about new contamination evidence

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

Soil and Water Management – Stockpiles

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.

Nuisance Lighting

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.

Polluted water from excavation – water analysis

10. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority (EPA) and ANZ Guidelines for Fresh and Marine Water Quality.

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

Reason: To prevent pollution of waterways.

Erosion and Sediment Control Measures

11. 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.

Erosion and Sediment Control - Run Off

12. 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.

Amenity of waste storage areas (general)

13. All waste storage areas/rooms are to comply with the approved Waste Management Plan. 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.

Tree Retention

14. Trees to be retained are:

Tree No.	Common Name	Name	Location	Tree Protection Zone (m)
1	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	7.44m
2	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	6.0m
3	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	7.08m
5	Golden Rain Tree	<i>Robinia pseudoacacia</i>	157 Pennant St	6.0m
15	Jacaranda	<i>Jacaranda mimosifolia</i>	157 Pennant St	6.0m

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

Street Tree Planting

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

Qty	Name	Common Name	Minimum Pot Size	Name of Street Frontage
3	<i>Eucalyptus punctata</i>	Grey Gum	100L	Collett Parade

In the event there is a potential conflict with any existing utility infrastructure in the road reserve, the number of trees, species and proposed location may be modified, subject to consultation with Council.

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.

Noise impact on residential building

16. Prior to the preparation of construction documentation, written certification from a suitably qualified person(s) shall be submitted to the person acting on this consent and City of Parramatta Council, stating that appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on **residential buildings** from rail corridors and/or busy roads:

- (a) In any bedroom in the building: 35dB(A) between 10pm – 7am;
- (b) Anywhere else in the building (other than a garage, hallway, kitchen or bathroom) 40dB(A) at any time.

Reason: Compliance with relevant noise amenity criteria in SEPP (Transport and Infrastructure) 2021.

Constr. Noise Managt. Plan for townhouses & above

17. A noise management plan must be prepared in accordance with the Environment Protection Authority (EPA) Noise Policy for Industry 2017 and accompany the documents prepared for construction. The person acting on this consent 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; and
- 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.

Planting on Structure Detail

18. Plans and documents prepared for construction must include the following changes:
- (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):
 - (e) Typical tree planting on structure detail to show overall 800-1200mm soil depth. (Soil Volume to be reflective of proposed tree species size)
 - (f) Typical shrub planting on structure detail to show minimum 500-600mm soil depth,
 - (g) Typical turf planting on structure to show minimum 200-300mm soil depth.
 - (h) Sections through the planters supporting the trees and shrubs over the basement, OSD and on podium level are required to show the above requirements.
 - (i) Tree planting densities shall not exceed the prescribed soil volume and area as per ADG – Part 4 requirements.
 - (j) A landscape maintenance schedule is required to ensure all landscape areas are well maintained for a sufficient period of time (minimum 1 year)
 - (k) A soil specification ('Fit-for-purpose' performance description) for imported soil types to ensure sufficient nutrient and water availability is achieved.
 - (l) An Irrigation plan and specification must be provided by a suitably qualified Hydraulic Engineer.

Reason: To ensure the creation of functional gardens.

Boundary Fencing

19. Plans and documents prepared for construction are to remove any works (including the demolition and construction) of boundary fencing. Should the applicant wish to pursue the proposed boundary fencing, negotiations regarding the height, type, location and cost should be conducted under the Dividing Fences Act 1991 and SEPP (Exempt and Complying Development Codes) 2008

Reason: To meet the requirements of the Dividing Fences Act 1991.

Landscape Plan Amendments

20. The final Landscape Plan must be consistent with plans numbered 2022.013 BGYMW sheet 1 rev C, dated 07/08/2024, prepared by Ray Fuggle & Associates Pty Ltd together with any additional criteria required by the Development Consent addressing the following requirements:

- (a) The Structural Root Zone (SRZ) and Tree Protection Zone (TPZ) for all trees (trees numbered T1, T2, T3, T5, T15 to be retained) is drawn incorrectly. The circles indicated on all disciplines' plans are too small. The TPZ and SRZ are radius dimensions and not diameter dimensions. All plans are to be amended to show the correct tree protection zones as per the Arboricultural Impact Assessment by Redgum Horticultural to ensure any approved works within these zones will be carried out carefully using non-destructive construction methods.
- (b) The retaining wall and 1:20 ramp to the northern side (RL +25.00 – +RL 25.32) is to be pivoted southwards away from the neighbouring tree T5. They must both be located outside the TPZ radius as demonstrated on endorsed annotated landscape plans to minimise impacts to the tree.
- (c) Trees along the Collett Parade front setback must be relocated with a minimum setback of 3m to the outside building façade of the proposed development. They are to be planted a minimum 2m distance from any proposed or existing drainage line.
- (d) Note: The civil stormwater drains by MSL Consulting must be amended to show the stormwater drainage pipes along the Collett Parade frontage are relocated towards the building to accommodate trees along the front setback as per the above point. Civil plans and landscape plans must be coordinated.
- (e) Delete all proposed planting within the Structural Root Zone (SRZ) of the neighbouring trees T5 and T15 to be retained, to avoid severing the roots.
- (a) Delete tree *Pittosporum undulatum* and replace with a suitable, native tree. Species include (but are not limited to) the following:
 - *Corymbia eximia* (Yellow Bloodwood)
 - *Eucalyptus sideroxylon* (Mugga Mugga)
 - *Alloxylon flammeum* – Tree Waratah
 - *Corymbia citriodora* - Lemon scented gum
- (f) Delete the *Westringia fruticosa* 'Mundi' shrub proposed within the shady-side of the building (along Collett Parade) and replace with a suitable, native, shade-loving species that will thrive in this location.
- (g) 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.

Reason: To ensure restoration of environmental amenity.

No external service ducts for multi-unit develop

21. 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 prepared for construction.

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

Single master TV antenna

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

Details of these connections are to be annotated on the plans and documentation prepared for construction.

Reason: To protect the visual amenity of the area.

SEPP 65 verification

23. Design Verification issued by a registered architect shall be prepared, detailing the construction drawings and specifications are consistent with the design quality principles in State Environmental Planning Policy No-65. Design Quality of Residential Flat Development.

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

Reason: To comply with the requirements of SEPP 65.

Infrastructure & Restoration Adm. fee for all DAs

24. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the commencement of works.

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.

Energy Provider requirements for Substations

25. Documentary evidence is to be submitted confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.

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

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

Adaptable Dwellings for Multi-unit and RFB's

26. The development must incorporate four (4) adaptable dwellings. Plans prepared for construction 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.

Long Service Levy

27. Before the commencement of work, the person acting on this consent 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.

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

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

28. Any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like, must not compromise appropriate manoeuvring and compliance shall be maintained with AS 2890.1, AS 2890.2 and AS 2890.6. Details are to be illustrated on plans prepared for construction.

Reason: To ensure appropriate vehicular manoeuvring is provided.

Bicycle Parking

29. 16 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 prepared for construction.

Reason: To comply with Council's parking requirements.

Parking Provision

30. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS 2890.2 and AS 2890.6. A total of 12 parking spaces including 4 accessible parking spaces are to be provided. Bollards are to be installed in shared spaces for accessible spaces, in accordance with Figures 2.2 and 2.3 of AS2890.6-2009. Details are to be illustrated on plans prepared for construction.

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

Pedestrian Safety

31. A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site. This shall be illustrated on plans prepared for construction and not be compromised by the landscaping, signage fences, walls or display materials.

Reason: To comply with Australian Standards and ensure pedestrian safety.

Convex Mirror

32. One (1) convex mirror is to be installed at the bottom of the access ramp, with its height and location adjusted to allow drivers a full view of the driveway in order to see if another vehicle is coming through. Details are to be illustrated on plans prepared for construction.

Reason: To ensure safety of drivers.

Public Domain Construction Drawings

33. A set of detailed **Public Domain Construction Drawings** as per Chapter 2 of the Parramatta Public Domain Guidelines are to be prepared with the plans and documentation for construction and must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The drawings shall address, but not be limited to, the following areas:

- All the frontages of the development site between the gutter and building line, including footpath, drainage, front setback,
- Any publicly accessible areas,
- Any works in carriageway,
- Works to integrate with adjacent public amenity, and
- Onsite landscape work

Grading of the pedestrian footway (applicable where existing footpath is missing and is to be reconstructed or where the existing footpath is in a poor condition and is to be reconstructed and where the existing vehicle crossings are being removed and new footpath is to be constructed):

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

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

- The latest City of Parramatta Public Domain Guidelines (PPDG);
- The Landscape Plan by DTA Architects (to be updated as per approved public domain alignment drawings when submitted to Council for approval)
- The approved public domain alignment drawings (to be submitted to Council for approval), and

- All the conditions listed in this consent.

Important - Coordination with services: The Public Domain Construction Drawings must be prepared after test pits have been dug and inspected within the public domain, and it is confirmed that all proposed street trees shown on the stamped drawings are possible to be planted. There should be no clashes with any services, existing or proposed.

The Public Domain Alignment and Construction Drawings must reflect the following:

- Show existing and proposed levels in the public domain
- Show existing vehicle crossings to be removed and new sections of kerbs and verge to be constructed
- Show new sections of footpath where there are existing sections that are not constructed or are in poor conditions
- Show the location of new and existing trees and services

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

Footway Specifications

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

Footpath

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

A footpath width of 1500 mm is required where the existing footpath is missing in sections, in places where the existing footpath is in poor condition, and where existing vehicular crossings are being removed and where the existing footpath is damaged due to the construction works. New kerb and gutter and new verge installation is required as part of works where existing vehicular crossings are being removed.

A copy of the Design Standard (DS) Drawings referenced above is available on the Council Website (<https://www.cityofparramatta.nsw.gov.au/sites/council/files/2023-02/SD-INDEX-FINAL.pdf>) or can be obtained from Council's Customer Service department on 9806 5050, Mon – Fri (8:30am-4:30pm).

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 the service providers allow, the pit lids should be infilled with the surrounding paving material.

All Pit lids, frames and covers in the public domain must be of Class 'C' load bearing capacity as per AS 3996 and DS 25 in all pedestrian areas and Class 'D' for all shared zones.

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

Tactile Indicators (TGS)

TGSs 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 TGSs must be installed in the locations as shown on the approved Public Domain Construction Drawings.

Electrical Pillars

Green Pillars for electrical connections, where required, should be coordinated with public domain elements, be outside the clear path of travel, shown on drawings, and must be neatly located 100mm away from the face of the building/property boundary wall or within the verge (as applicable) and be installed square and plumb.

Any existing green pillars must be moved and relocated as necessary to achieve the above.

Reason: To coordinate the location of electricity pillars so they are not an obstruction in the public footway.

Documentary evidence of compliance with these requirements is to be confirmed in the Public Domain Construction Drawings to be submitted to and approved by the Council's DTSU Manager prior to the commencement of any works

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

Impact on Existing Services

35. The depths and locations of underground utilities along Collett Parade are to be shown on a plan and longitudinal section prepared with the construction documents and submitted to Council to demonstrate that the development avoids any adverse impacts to the services during the pipe system works.

Reason: To ensure the development avoids any adverse impact to the services during the pipe system works.

Stormwater Disposal

36. 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 prepared for construction.

Reason: To ensure satisfactory stormwater disposal.

Retaining walls

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

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

Structural details, certified by a practicing structural engineer, shall accompany the documentation prepared for construction for assessment and approval by the person acting on this consent.

Reason: To minimise impact on adjoining properties.

Sydney Water Quick check

38. 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 person acting on this consent upon request prior to works commencing.

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

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

Dial Before you Dig Service

39. 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 obtain the written confirmation from NDBYD prior to any excavation occurring.

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

On Site Detention

40. Full engineering construction details of the stormwater system, including OSD structures, pipe networks and calculations as per following points, shall be prepared with the documentation for construction of 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.

- **Stormwater plans prepared by MSL Consulting Engineers, project number BGYMW, Job number 22079, sheets 1-14, issue D, dated 21/10/2024**

- (b) A Site Storage Requirement of 285 m³/ha and a Permissible Site Discharge of 160 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.

Water treatment for stormwater

41. Water quality treatment devices must be installed to manage surface runoff water to pennant Street to satisfy section 5.1.2 of Parramatta City Council Development Control Plan 2023. Details of the proposed devices and their location must accompany the documentation prepared for construction to the satisfaction of the person acting on this consent.

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

Shoring for adjoining Council property

42. 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 documentation prepared for construction. 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.

Impact on Existing Utility Installations

43. 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 the documentation prepared for construction to the satisfaction of the person acting on this consent.

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

Proposed inlet pit

44. The proposed kerb inlet pit must be constructed in accordance with Council Standard Plan No. DS21. Details are to form part of the documentation prepared for construction.

Reason: To ensure appropriate drainage.

Driveway Grades

45. 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 documentation prepared for construction.

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

Design for Average Recurrence Interval

46. A certificate shall be submitted to the person acting on the consent with the documentation prepared for construction, certifying that:

The piped drainage system including roof gutters and downpipes have been designed to an Average Recurrence Interval of not less than 100 years.

The following details will be required with the certificate:

- i. Full details of the proposed stormwater drainage system should be submitted. Details should include a full calculation schedule producing hydrologic and hydraulic grade line analysis (similar to that shown in "Australian Rainfall and Runoff", published by the Institution of Engineers, Australia), catchment plan, pipe sizes, discharge points, natural and finished surface levels, invert levels etc.
- ii. A Plan showing the natural surface and finished surface and finished surface contours to AHD should be submitted. The natural surface contours should be extended into the adjoining properties. The finished surface contours should be of such an interval as to give a true representation of the proposed regarding of the site. If so desired, the finished surface contours may be presented in red ink on a single print of a site plan that shows proposed finished surface spot levels.

Reason: To ensure the roof drainage system is designed for the 1% AEP storm event

Construction of a heavy duty vehicular crossing

47. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing numbers DS9 and DS10. Details must accompany the documentation prepared for construction to the satisfaction of the person acting on this consent.

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.

PART B – BEFORE THE COMMENCEMENT OF BUILDING WORK

Toilet facilities on site

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

Reason: To ensure adequate toilet facilities are provided.

Asbestos Hazard Management Strategy

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

Asbestos - signage

50. 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.

Reason: To comply with the requirements of Safework NSW.

Hazardous material survey

51. At least one (1) week prior to demolition, a hazardous materials survey of the site shall be prepared. 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.

Waste management plan – demolition

52. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:

- (a) expected volumes and types of waste to be generated during the demolition and construction stages of the development;
- (b) destination of each type of waste, including the name, address and contact number for each receiving facility.

The Waste Management Plan is to be prepared prior to commencement of any works on site.

Reason: To ensure waste is managed and disposed of properly.

Tree protection fencing to the TPZ

53. Prior to the commencement of any demolition, excavation or construction works, the required Tree Protection Zones (TPZ) are to be established and in place according to the schedule below.

The trees are to be enclosed with protective fencing consisting of 1.8m high fully supported chainmesh. The area enclosed is to be a designated “No-Go Zone” and is to be kept weed and grass free for the entire duration of works. The enclosed area is to be mulched with 100mm of leaf mulch to minimise disturbance to existing ground conditions for the duration of the construction works. “Tree Protection Zone” signage is to be attached to protective fencing; this must include the name and contact details of the Project Arborist.

Tree No.	Species	Common Name	Location	Radius from Trunk or as specified
1	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	4m or the edge of grass verge
2	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	4m or the edge of grass verge
3	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	4m or the edge of grass verge
5	Golden Rain Tree	<i>Robinia pseudoacacia</i>	157 Pennant St	6.0m
15	Jacaranda	<i>Jacaranda mimosifolia</i>	157 Pennant St	6.0m

Reason: To protect the trees to be retained on the site during construction works.

Tree Protection During Construction

54. Tree protection measures are to be installed prior to works commencing on site and are to be maintained throughout the demolition and construction works, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist in accordance with AS4970:2009 - “Protection of Trees on Development Sites”.

The tree protection measures are to be checked before any work commences and periodically checked throughout the construction phase to ensure they are maintained. If the Project Arborist is satisfied upon completion, then written certification by the Project Arborist is to be prepared to state tree protection measures were retained and in place, in accordance with the Conditions of Consent.

Reason: To ensure trees are adequately protected throughout the construction phase.

Enclosure of the site

55. 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 prior to the commencement of any work on site.

Reason: To ensure public safety.

Site Sign

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

Reason: Statutory requirement.

Public liability insurance

57. 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.

Footings and walls near boundaries

58. 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, shall be prepared 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.

Compliance with Home Building Act (If Applicable)

59. 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).

Payment of security deposits

60. Before the commencement of any works on the site, the following payments shall be made to Council:

Bond Type	Amount
Development Sites Bonds: <i>Applies to all developments with a cost greater than 25K and swimming pools regardless of cost (fee is per street frontage). See current Schedule of Fees and Charges.</i>	\$10,820.00
Street Trees: <i>\$2,530.50 per street tree in current financial year.</i> <i>(3 Street Trees x \$2,530.50)</i>	\$ 7,591.50

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:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/582/2023;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

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

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

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

Public Domain - Prior to the Commencement of Construction

61. Prior to any work the person acting on this consent is to confirm the ground floor slab levels, including finishes, will be flush with the existing and/or proposed public domain as per the approved Public Domain Alignment Drawings;

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 pre-work site meeting is required with Council's Road Asset Planning Team before start of any works on site to confirm the works as per the plans and documentation prepared for construction and to discuss any critical issues that may arise.

A range of inspections will be carried out by Council staff during the construction phase. The applicant must contact Group Manager Development Traffic Services Unit for each inspection listed below. At least 48 hour notice must be given for all inspections, except tree inspections which require a 7 business days' notice.

The required inspections include the following :

- Commencement of public domain works including tree protection measures installed and set out of tree pits.
- Subgrade inspection following excavation for footings, drainage and pavements, tree pits, structural soil cell, sub-surface drainage and irrigation system as required.
- Formwork inspection for all footpaths and footpath crossings.

- 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, certification that the trees have been grown in accordance with AS2303:2018 to prove the quality of the tree stock.
- Practical completion - defects inspection following completion of all public domain works 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.

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 construction standards. The civil engineer is to provide certification of the above prior to the occupation of the building.

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

Construction and Traffic Management Plan

62. Prior to the commencement of any works on site, a Construction and Traffic Management Plan shall be prepared. The following matters must be specifically addressed in the Plan:

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

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

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

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

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

Road Opening Permits - DA's involving drainage work

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

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

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

Dilapidation survey & report for private properties

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

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

structural/geotechnical engineer in accordance with the recommendation of the geotechnical report.

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

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

Reason: Management of records.

Geotechnical report

65. Prior to the commencement of any excavation works on site the applicant must submit 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 Cl of AS 2870 - 1996.

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

Reinforced concrete pipe work

66. Details of the proposed 375mm diameter reinforced concrete pipe-work within Collett Parade shall be submitted for Council's City Works Unit approval prior to commencement of any work.

Reason: To ensure adequate stormwater infrastructure is provided.

Erosion and Sediment Control measures

67. 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.

Site Maintenance

68. 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.

Shoring and adequacy of adjoining property

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

Special Permits

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

Driveway Crossing Application

71. 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.

PART C – WHILE BUILDING WORK IS BEING CARRIED OUT

Asbestos–records disposal& licensed waste facility

72. Where demolition of asbestos containing materials is undertaken, the contractor must submit 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 business days of the issue of the receipts.
- Reason:** To ensure appropriate disposal of asbestos materials.

Asbestos handled& disposed of by licensed facility

73. 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.

Waste data file maintained

74. 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 2023 are met.

Hazardous/intractable waste disposed of in accor.

75. 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.

General requirements for liquid and solid waste

76. 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.

Liquid and Solid Wastes

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

Contaminated waste to licensed EPA landfill

78. 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.

Polluted water from excavation analysis

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

Reason: To prevent pollution of waterways.

De-watering of Excavated Sites

80. 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 prepared with the plans and documents for construction and submitted to Council for review.

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

No removal of trees on public property

81. No trees on public property (footpaths, roads, reserves, etc.) are permitted to be removed, pruned or damaged during construction including the installation of fences, hoardings or other temporary works, unless approved in this consent.

Reason: Protection of existing environmental infrastructure and community assets.

Material storage and trees

82. 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.

Excavation to be supervised by arborist

83. All excavation within the distances below, is to be supervised by an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist.

Tre No.	Species	Common Name	Location	Distance from trunk
1	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	7.44m
2	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	6.0m
3	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	7.08m
5	<i>Golden Rain Tree</i>	<i>Robinia pseudoacacia</i>	157 Pennant St	6.0m
15	<i>Jacaranda</i>	<i>Jacaranda mimosifolia</i>	157 Pennant St	6.0m

All works within this zone is to be carried out using non-destructive construction method such as hydrovac (on the lowest setting) or careful hand-dig to retain all roots >30mm in diameter. The Project Arborist supervising the works must document the works as part of the Periodic Tree Inspection Report.

Once the work is completed the Project Arborist is to provide a written summary detailing the works undertaken, including the periodic tree photos to show evidence of compliance with these requirements, the Conditions of Consent and AS4970 *Protection of Trees on the Development sites*. This is to be submitted to Council's DTSU Manager.

Reason: To provided adequate protection of trees.

Excavation in the vicinity of trees

84. No excavation is to occur within the distance specified below:

Tree No.	Species	Common Name	Location	Distance from trunk
1	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	3.5m
2	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	3m
3	Brushbox	<i>Lophostemon confertus</i>	Pennant St tree	3.5m
5	Golden Rain Tree	<i>Robinia pseudoacacia</i>	157 Pennant St	3m
15	Jacaranda	<i>Jacaranda mimosifolia</i>	157 Pennant St	3m

Reason: To ensure the protection of trees.

Tree Removal

85. Trees approved to be removed are numbered 4, 6, 7, 8, 9, 10, 11, 12, 13 and 14 as per the Arboricultural Impact Assessment Report by Redgum Horticultural ref 7779 dated 09.06.2023.

Reason: To facilitate development.

Trees with adequate root volume

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

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

Removal of trees by an arborist

87. 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.

Hours of work and noise

88. The person acting on this consent 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 person acting on this consent 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.

Building Work with Compliance BCA

89. 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.

Road Occupancy Permit

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

Reason: To ensure proper management of Council assets.

Oversize vehicles using local roads

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

Reason: To ensure maintenance of Council's assets.

Erosion & sediment control measures

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

Reason: To ensure no adverse impacts on neighbouring properties.

Damage to public infrastructure

93. 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.

Nomination of Engineering Works Supervisor

94. 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 prior to the occupation of the development.

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

PART D – PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

Record of inspections carried out

95. In accordance with Part 8 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, critical stage inspections shall be undertaken and a record of each inspection must be made 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.

Cert.Auth.Arrange Qualified LandscapeArch.(multi)

96. 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 occupation of the building.

Reason: To ensure restoration of environmental amenity.

Street Number when site readily visible location

97. A street number is to be placed on the site in a readily visible location from a public place prior to the occupation of the building. The numbers are to have a minimum height of 75mm.

Reason: To ensure a visible house number is provided.

BASIX Compliance

98. Under Section 75 of the Environmental Planning & Assessment Regulation 2021, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. 1387861M_02, will be complied with prior to occupation.

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

Completion of Public Utility Services

99. Prior to the occupation of the building, 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.

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

SEPP 65 verification statement Occupation stage

100. Design Verification issued by a registered architect is to be provided prior to occupation of the building verifying that the residential flat development achieves the design quality of the development as shown in the construction plans and specifications, having regard to the design quality principles set out in Part 2 of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development.

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

Reason: To comply with the requirements of SEPP 65.

PE25 –Adaptable dwellings Multi-unit and RFBs

101. Certification must be provided prior to the occupation of the building 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 PDGP 2023 have been met.

Post Constr. Private Property Dilapidation Report

102. The person acting on this consent shall engage a suitably qualified engineer to prepare a post-construction dilapidation report, 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 occupation of the building, a copy of the post-construction dilapidation report is to be provided to Council and to the relevant adjoining property owner(s).

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

Public Domain –Occupation Requirements

103. Prior to the occupation of the building, the works outlined in the approved Public Domain Construction Drawings must be completed to Council's satisfaction and final defects rectified, with a final approval obtained from Council's Road Asset Planning, Catchment Management & Environment Manager.

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-compliance with the approved plans, longitudinal sections and specifications, or the public domain guidelines.

All defects raised by Council officers during the construction period and at final inspection need to be rectified prior to and signed off at the final defects' inspection by Council officers to occupy the building.

A 52 week defects period will commence upon occupation of the building.

Further signoff of defects will again be needed prior to final handover.

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

A landscape maintenance schedule prepared by a qualified Landscape Architect shall be submitted to Council specifying the required plant establishment to be provided by the applicant following occupation. Maintenance of plant material to commence following occupation for plant establishment period of

- 52 weeks plant establishment & maintenance period for street trees
- Important – If any trees have been replaced (due to death or damage of the previous tree) within 3 months of the handover, the maintenance period for those trees will be extended to suit the above time requirements.

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

Work-as-Executed Plan

104. 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 documents 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 person acting on the consent prior to the occupation of the development and a copy is to be submitted to Council.

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

OSD Positive Covenant/Restriction

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

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

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 person acting on this consent 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.

Section 73 Certificate

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

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

Driveway Crossover

107. Prior to the occupation of the development, 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 Council's adopted 'Fees and Charges' will need to be paid at the time of lodgement.

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

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

Reason: Pedestrian and Vehicle safety.

Reinstatement of laybacks etc

108. 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 occupation of the development. All costs must be borne by the applicant.

Reason: To provide satisfactory drainage.

OSD Requirements

109. Prior to the occupation of the development, the person acting on this consent shall ensure that:

- a. Signage consistent with Appendix N of the UPRCT OSD Handbook (4th edition) is provided to each OSD tank including:
 - i. Confined spaces sign,
 - ii. OSD (identification) sign,
- b. No water is ponding in the tank beyond the reduced sump at the orifice plate.

Reason: To ensure the OSD tanks are constructed in accordance with the requirements of AS3500 and the UPRCT OSD Handbook.

PART E – USE OF THE SITE

Air Conditioners in Residential Buildings

110. The air conditioner/s must not:

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

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

Reason: To prevent loss of amenity to the area.

Remove putrescible waste at sufficient frequency

111. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

Reason: To ensure provision of adequate waste disposal arrangements.

Management of waste storage facilities

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

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

Storage of bins between collection periods

113. 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.

114. If a roller shutter door is to be provided at the driveway entry and exit from Collett Parade, 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.

Landscape maintenance

115. All landscape works shall be maintained for a minimum period of one (1) year following the occupation of the building, in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

External Plant/Air-conditioning noise levels

116. 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.

Graffiti Management

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

Reason: To ensure the removal of graffiti.

Release of Securities/Bonds

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

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

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

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

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

Date: 6 December 2024
Responsible Officer: Caitlin Hopper