



ATTACHMENT B – DRAFT CONDITIONS OF CONSENT

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| Development Application | DA/764/2023 |
| Property Address | 26X STANLEY ROAD, EPPING |
| Development Proposal | Alterations and additions to the Epping Aquatic Centre (Dence Park) including refurbishment of the existing 50m outdoor swimming pool, construction of a new 20m indoor swimming pool, a new grandstand, shade structure, splash pad and wading pool, lift tower, associated amenities, and landscaping works. The proposal also includes the consolidation of lots, tree removal and signage display. |

PART A – GENERAL CONDITIONS

Approved Plans

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

| Plans | Prepared By: | Reference | Sheet | Revision | Dated |
|---|----------------------------|------------------|--------------|-----------------|--------------|
| Building Site Plan and Setout Plan | Brewster Hjorth Architects | 22028 | AR011 | T6 | 28.05.24 |
| Site Management Plan | Brewster Hjorth Architects | 22028 | AR012 | T4 | 28.05.24 |
| Site Staging Plan | Brewster Hjorth Architects | 22028 | AR013 | T4 | 28.05.24 |
| Site Demolition Plan | Brewster Hjorth Architects | 22028 | AR020 | T6 | 28.05.24 |
| Service Stair and Lift | Brewster Hjorth Architects | 22028 | AR405 | T3 | 28.05.24 |
| External Egress Stairs | Brewster Hjorth Architects | 22028 | AR408 | T2 | 28.05.24 |
| External Works – Sheet 04 | Brewster Hjorth Architects | 22028 | AR903 | T4 | 28.05.24 |
| External Works – Sheet 05 | Brewster Hjorth Architects | 22028 | AR904 | T4 | 28.05.24 |
| APZ & Ecological Constraints | Brewster Hjorth Architects | 22028 | DA014 | 4 | 29/5/24 |
| Precinct Plan | Brewster Hjorth Architects | 22028 | AR010 | T7 | 28.05.24 |
| Roof North Plan | Brewster Hjorth Architects | 22028 | A104 | T1 | 22.03.24 |
| Lift Tower Plan | Brewster Hjorth Architects | 22028 | A105 | T1 | 22.03.24 |
| Stair, Ramp and Lift Details – Sheet 04 | Brewster Hjorth Architects | 22028 | A403 | T1 | 22.03.24 |
| Pool Setout – Sheet 02 | Brewster Hjorth Architects | 22028 | A951 | T1 | 22.03.24 |
| Hydraulic Services Carpark Entry Level | Brewster Hjorth Architects | 210060 | H106 | T1 | 21/03/24 |

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|---|----------------------------|----------------|---------|----|------------|
| Drainage Services Layout | | | | | |
| Roof – Nort PV Calculation | - | - | SK037 | - | 03/20/24 |
| Shadow Diagram | Brewster Hjorth Architects | 22028 | SK1403 | T1 | 22.03.24 |
| Shadow Diagram 3D | Brewster Hjorth Architects | 22028 | SK1403B | T1 | 22.03.24 |
| Thermal Envelope Scope | Brewster Hjorth Architects | 22028 | A106 | T1 | 22.03.24 |
| Upper Level South Building Drainage Services Layout | Brewster Hjorth Architects | 210060 | H104 | T1 | 21.03.24 |
| Location Plan | Brewster Hjorth Architects | 22028 | DA001 | 5 | 20/12/23 |
| Existing Site Plan | Brewster Hjorth Architects | 22028 | DA003 | 5 | 20/12/23 |
| Site Plan | Brewster Hjorth Architects | 22028 | DA004 | 5 | 20/12/23 |
| Ground Level Floor Plan | Brewster Hjorth Architects | 22028 | DA005 | 5 | 20/12/23 |
| Upper Level Floor Plan | Brewster Hjorth Architects | 22028 | DA006 | 5 | 20/12/23 |
| Elevations – Sheet 1 | Brewster Hjorth Architects | 22028 | DA008 | 5 | 20/12/23 |
| Elevations – Sheet 2 | Brewster Hjorth Architects | 22028 | DA009 | 5 | 20/12/23 |
| Sections – Sheet 1 | Brewster Hjorth Architects | 22028 | DA010 | 5 | 20/12/23 |
| Sections – Sheet 2 | Brewster Hjorth Architects | 22028 | DA011 | 5 | 20/12/23 |
| Ex. Shadow Diagram – Sheet 1 | Brewster Hjorth Architects | 22028 | DA012 | 5 | 20/12/23 |
| Ex. Shadow Diagram – Sheet 2 | Brewster Hjorth Architects | 22028 | DA013 | 5 | 20/12/23 |
| Prop. Shadow Diagram – Sheet 1 | Brewster Hjorth Architects | 22028 | DA014 | 5 | 20/12/23 |
| Prop. Shadow Diagram – Sheet 2 | Brewster Hjorth Architects | 22028 | DA015 | 5 | 20/12/23 |
| Photomontage Render – Sheet 1 | Brewster Hjorth Architects | 22028 | DA017 | 2 | 20/12/23 |
| Photomontage Render – Sheet 2 | Brewster Hjorth Architects | 22028 | DA018 | 2 | 20/12/23 |
| Signage Strategy – Sheet 1 | Brewster Hjorth Architects | 22028 | DA019 | 1 | 15/12/23 |
| Staging Plan | Brewster Hjorth Architects | 22028 | DA002 | 5 | 20/12/23 |
| Signage Strategy – Sheet 3 | Brewster Hjorth Architects | 22028 | DA021 | 1 | 15/12/23 |
| Sustainability Diagram | Brewster Hjorth Architects | 22028 | SK048 | - | 26/05/2024 |
| Ground Floor North Building Plan | Brewster Hjorth Architects | 22028 | A1101.1 | - | 30/05/2024 |
| Signage Strategy – Sheet 2 | Brewster Hjorth Architects | - | DA020 | 2 | 15/5/24 |
| Plan of Consolidation of Lots 1 & 2 in DP 1083761, Lot 1 in | Brian Dewing | E5568-79047-DP | - | - | 14.02.2024 |

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|----------------------------------|--|--|--|--|--|
| DP 441025 and Lot B in DP 417995 | | | | | |
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Landscape Plans

| Plans | Prepared By: | Reference | Sheet | Revision | Dated |
|---|----------------|-----------|--------|----------|----------|
| Landscape Cover Sheet | Taylor Brammer | 23-093W | LDD000 | T1 | 21.03.24 |
| Landscape: Site Plan | Taylor Brammer | 23-093W | LDD001 | T1 | 21.03.24 |
| Landscape: Tree Retention and Removal Plan | Taylor Brammer | 23-093W | LDD002 | T4 | 28.05.24 |
| Landscape: Finishes Plan | Taylor Brammer | 23-093W | LDD100 | T5 | 28.05.24 |
| Landscape: Finishes Plan | Taylor Brammer | 23-093W | LDD101 | T4 | 28.05.24 |
| Landscape: Finishes Plan | Taylor Brammer | 23-093W | LDD102 | T3 | 28.05.24 |
| Landscape: Grading Plan | Taylor Brammer | 23-093W | LDD200 | T3 | 28.05.24 |
| Landscape: Grading Plan | Taylor Brammer | 23-093W | LDD201 | T3 | 28.05.24 |
| Landscape: Grading Plan | Taylor Brammer | 23-093W | LDD202 | T1 | 21.03.24 |
| Landscape: Planting Schedule | Taylor Brammer | 23-093W | LDD300 | T5 | 28.05.24 |
| Landscape: Planting Plan | Taylor Brammer | 23-093W | LDD301 | T5 | 30.05.24 |
| Landscape: Planting Plan | Taylor Brammer | 23-093W | LDD302 | T5 | 30.05.24 |
| Landscape: Planting Plan | Taylor Brammer | 23-093W | LDD303 | T4 | 30.05.24 |
| Landscape: Cross Sections | Taylor Brammer | 23-093W | LDD400 | T2 | 28.05.24 |
| Landscape: Cross Sections | Taylor Brammer | 23-093W | LDD401 | T1 | 21.03.24 |
| Landscape: Cross Sections | Taylor Brammer | 23-093W | LDD402 | T1 | 21.03.24 |
| Landscape: Construction Details | Taylor Brammer | 23-093W | LDD500 | T1 | 21.03.24 |
| Landscape: Construction Details | Taylor Brammer | 23-093W | LDD501 | T1 | 21.03.24 |
| Landscape: Construction Details | Taylor Brammer | 23-093W | LDD502 | T1 | 21.03.24 |
| Landscape: Construction Details | Taylor Brammer | 23-093W | LDD503 | T1 | 21.03.24 |
| Landscape: Construction Details | Taylor Brammer | 23-093W | LDD504 | T1 | 21.03.24 |
| Landscape: Specifications and Maintenance Notes | Taylor Brammer | 23-093W | LDD600 | T1 | 21.03.24 |

Stormwater

| Plans | Prepared By: | Reference | Sheet | Revision | Dated |
|-------------------------------------|--------------|-----------|-------|----------|----------|
| Stormwater & Sub-Soil Drainage Plan | TTW | 211079 | C5020 | T2 | 21.03.24 |
| Details Sheet 2 | TTW | 211079 | C5011 | T1 | 21.03.24 |
| Details Sheet 3 | TTW | 211079 | C5012 | T1 | 21.03.24 |

Reports

| Report Title | Prepared By: | Reference | Revision | Dated |
|--|-----------------------------------|-------------------|------------|------------|
| Construction Phase Asbestos Management Plan (AMP) | JK Environments | E33699PTrpt6-AMP | - | 15.03.2024 |
| Operational Asbestos Management Plan (OAMP) | JK Environments | E33699PTrpt5-OAMP | - | 15.03.2024 |
| Preliminary (Stage 1) Site Investigation | JK Environments | E33699PTrpt | - | 05.02.2021 |
| Detailed Site Investigation | JK Environments | E33699PTrpt3 | - | 13.03.2024 |
| Geotechnical Investigation | JK Environments | 33699BHRpt | - | 02.02.2021 |
| Hazardous Building Materials Survey | JK Environments | E33699PTrpt_HAZ | - | 18.12.2020 |
| Remediation Action Plan (RAP) | JK Environments | E33699PTrpt4-RAP | - | 15.03.2024 |
| ESD Report | JHA Services | 210060 | B | 20.03.2024 |
| Flora and Fauna Assessment Report | Narla Environmental | PARRA7Arborist | Final v1.0 | April 2024 |
| Arboricultural Impact Assessment Tree Protection Specification | Tree IQ | - | B | 29.05.2024 |
| Streamlined Biodiversity Development Assessment Report | Narla Environmental | PARRA8 | Final v1.0 | May 2024 |
| Bush Fire Assessment Report | Bushfire Hazard Solutions Pty Ltd | 201441C | 2 | 20.12.2023 |
| Bushfire Landscape Comment | Bushfire Hazard Solutions Pty Ltd | 201441D | - | 30.05.2023 |
| National Construction Code 2022 Volume One Section J | JHA Services | 210060 | T1 | 22.03.2024 |
| Vegetation Management Plan | Narla Environmental | PARRA7 | Final v3.0 | March 2024 |
| Aboriginal Cultural Heritage Due Diligence | EMM | - | 2 | 21.12.2023 |

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|--|-------------------|---------------------|-------|------------|
| Development Application Accessibility Report | Purely Access | 10905DA | 04 | 18.12.2023 |
| Acoustic Report | JHA Services | 210060 | E | 20.12.2023 |
| BCA Capability Statement | Design Confidence | P223_302-2 (BCA) JR | - | 21.12.2023 |
| Construction & Demolition Waste Management Plan | EF Consulting | - | C | 9.01.2024 |
| Operational Waste Management Plan | EF Consulting | 5571 | D | 14.12.2023 |
| Crime Prevention Through Environmental Design | Mecone | - | A | 08.01.2024 |
| Flood Emergency Response Plan | TTW | 211079_CFAA | - | 04.12.2023 |
| Social Impact Assessment | EMM | - | V2 | 18.12.2023 |
| Statement of Heritage Impact | EMM | - | Final | 21.12.2023 |
| Statement of Heritage Impact (Built Environment) | EMM | | Final | 21.12.2023 |
| Stormwater Management Plan | TTW | 211974 | - | 01.12.2023 |
| Structural Design Certificate | TTW | 211079 | - | 19.12.2023 |
| Traffic Impact Assessment | TTW | 211079 | A | 20.12.2023 |

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

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

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

Staging of Works

2. The proposal may be constructed in stages as reflected within the following table and indicated in the staging plan Reference 22028-DA002 Rev 5 dated 20.12.2023 prepared by Brewster Hjorth Architects. All conditions of this consent relate to the relevant stages unless otherwise stated within this consent.

| Stage | Works |
|---------|---|
| Stage 1 | <ul style="list-style-type: none"> • Consolidation of three (3) allotments into one (1) • Refurbishment of the existing outdoor 50m swimming pool • A new grandstand and shading structure • A new indoor 20m swimming pool • A new lift tower • Pedestrian pathways • Associated pool amenities, including a retail shop • Associated landscaping • Provision of three (3) accessible car spaces • Signage |

| | |
|---------|---|
| | <ul style="list-style-type: none"> • Plant equipment rooms. |
| Stage 2 | <ul style="list-style-type: none"> • Construction of a new splash pad and wading pool. |
| Stage 3 | <ul style="list-style-type: none"> • Construction of new changerooms and unisex showers. |

Reason: To confirm the staging of the construction works.

Building work in compliance with BCA

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

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

Construction Certificate

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

Reason: To ensure compliance with legislative requirements.

No encroachment on adjoining land

5. 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.

Physical commencement required

6. Physical commencement must occur within 5 years of the date of the issue of the consent otherwise this approval shall lapse.

Reason: To provide certainty to the community as to when physical commencement must occur.

Demolition Requirements

7. Approval is granted for demolition, subject to compliance with the following: -
- 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.
 - The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
 - 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.

- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly contain with asbestos approval to commence demolition will not be given until Council is satisfied that all asbestos removal measures and obligations are in place.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, signage is to be erected and maintained in accordance with Cl.469 of the Work Health and Safety Regulation 2017.
- (f) Should the conditions of this development consent require tree protection measures then demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All connected services required to be disconnected as part of the demolition works are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Prior to the commencement of any demolition works, and where the site ceases to be occupied during works, the property owner must notify Council to discontinue the domestic waste service and to collect any garbage and recycling bins from any dwelling/ building that is to be demolished. Waste service charges will continue to be charged where this is not done. Construction and/ or demolition workers are not permitted to use Council's domestic waste service for the disposal of any waste.
- (i) Demolition works involving the removal and disposal of friable asbestos must be undertaken by a Class A friable licensed asbestos professional. Where there is in excess of 10sqm of non-friable (bonded) asbestos, the removal and disposal of the non-friable asbestos must be undertaken by either a Class A or Class B Asbestos Licence asbestos professional.
- (j) Demolition is to be completed within 5 days of commencement. Unless agreed in writing by the City of Parramatta Council for larger sites.
- (k) Demolition works are restricted to Monday to Saturday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Sundays or Public Holidays.
- (l) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (m) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
 - (i) Proposed ingress and egress of vehicles to and from the construction site;
 - (ii) Proposed protection of pedestrians adjacent to the site;
 - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
- (n) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environment Protection Authority (EPA).
- (o) Before demolition works begin, adequate toilet facilities are to be provided.
- (p) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (q) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.

- (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.
- (iv) Prior to any earthworks or construction undertaken on site associated with the proposed development, ensure the above items are submitted and a post demolition clearance is provided from Council.

Reason: To outline requirements of demolition activities on site.

Tree Retention

8. The following trees identified within the Arboricultural Impact Assessment (AIA): Tree IQ rev B dated 29.05.2024 are to be retained - trees numbered 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 16, 17, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 48, 52, 53, 54, 55, 56, 70, 72 to 83.

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

Compliance with Ausgrid Requirements

9. The development must comply with relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice for construction works near existing electrical assets.

The "as constructed" minimum clearances to Ausgrid's infrastructure must not be encroached by the building development. It also remains the responsibility of the developer and relevant contractors to verify and maintain these clearances onsite.

Ausgrid's Network Standards can be sourced from Ausgrid's website, www.ausgrid.com.au.

Reason: To comply with the requirements of Ausgrid.

Compliance with Sydney Water Requirements

10. The proposed development shall comply with the Sydney Water requirements contained within correspondence dated 6 February 2024.

Reason: To comply with the requirements of Sydney Water.

Compliance with NSW RFS Requirements

11. The proposed development shall comply with the NSW Rural Fire Service requirements contained within correspondence Reference No. DA20240116000204-CL55-1 dated 11 July 2024.

Reason: To comply with the requirements of the NSW Rural Fire Service.

PART B – PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

Signage Amendments

12. The directional signage (identified as "view from carpark" on DA020 Signage Strategy Sheet 2 Revision 2 dated 13.05.2024) is to include reference to the main entrance of the pool. Details to be submitted to the satisfaction of the Group Manager DTSU to ensure branding before the issue of a Construction Certificate for the signage.

Reason: To improve way finding on the site.

Sustainability Measures

13. Prior to the issue of a Construction Certificate, the provision of the following must be demonstrated to the satisfaction of the Certifying Authority within the CC documentation:

- (a) The building and its end uses is to be delivered as an all-electric building as is not to be connected to the natural gas network.

- (b) Solar photovoltaic generation with a minimum rated electrical output of 99.0 peak kW.
- (c) The building design documentation is to demonstrate compliance with Part J of NCC 2022 without including the energy generated from onsite renewable energy in any JV3 calculations.
- (d) A 10kL rainwater tank and associated reticulation for reuse of the collected water must be incorporated in the CC documentation for installation.
- (e) Water-efficient fixtures and fittings must be used throughout. A minimum WELS rating of 4 stars for toilets, 6 stars for tapware, 6 stars for urinals, 4 stars for internal showers, and 3 stars for outdoor showers is required.
- (f) An Ultra-fine Filtration (UFF) system is to be designed for installation for the treatment of pool water.
- (g) The external surface of the roof will be designed to achieve of Solar Reflectivity Index (SRI) greater than 64.
- (h) A site-specific construction waste management plan that confirms a commitment to divert greater than 90% of construction and demolition waste from landfill.

Reason: To maximise the sustainability of the development.

Non-destructive construction detail

14. Prior to the issue of the Construction Certificate, the Certifying Authority and Project Arborist must both be satisfied, in writing, that the following structures have been modified to minimise the construction impact within the Tree Protection Zone (TPZ) of the following nominated trees:

| Tree No. | Species | Common Name | Structure to be modified | Distance from trunk (TPZ) |
|----------|------------------------------|-------------------|---|---------------------------|
| 4 | <i>Eucalyptus sieberi</i> | Silver Topped Ash | Fire egress stairs / boardwalk | 7.2m |
| 5 | <i>Corymbia gummifera</i> | Red Bloodwood | Demolition toddler wading pool & new paving | 7.2m |
| 6 | <i>Eucalyptus piperita</i> | Sydney Peppermint | Demolition toddler wading pool & new paving | 4.8m |
| 7 | <i>Angophora costata</i> | Sydney Red Gum | Demolition toddler wading pool & new paving and fence | 7.2m |
| 9 | <i>Angophora costata</i> | Sydney Red Gum | Fire egress stairs / boardwalk and fence | 3.3m |
| 10 | <i>Eucalyptus piperita</i> | Sydney Peppermint | Fence | 4.8m |
| 11 | <i>Eucalyptus sieberi</i> | Silver Topped Ash | Fire egress stairs / boardwalk | 8.7m |
| 12 | <i>Angophora costata</i> | Sydney Red Gum | Fire egress stairs / boardwalk | 5.4m |
| 33 | <i>Angophora costata</i> | Sydney Red Gum | Fire egress stairs / boardwalk | 6.0m |
| 36 | <i>Syncarpia glomulifera</i> | Turpentine | Demolition and driveway paving | 7.2m |
| 37 | <i>Angophora costata</i> | Sydney Red Gum | Demolition toddler wading pool & new paving and fence | 6.0m |
| 39 | <i>Eucalyptus pilularis</i> | Blackbutt | Demolition toddler wading pool & new paving and fence | 9.0m |
| 54 | <i>Eucalyptus robusta</i> | Swamp Mahogany | Fence and construction compound | 9.4m |

- (a) The proposed fence be designed so as not to impact on the trees required to be retained. In order to reduce the impact on the root structure, location of the post or supports will be designed around major roots within the radius of the nominated trees as numbered in the table. Notes to be added to the fence details.
- (b) The stormwater detailed design notes are to be amended to discuss non-destruction construction method for the installation of drainage pipes within the TPZ of trees (as numbered in the table). Pipes are to be installed using non-destructive construction method such as hydro-vac or careful hand-dig to retain all roots >30mm in diameter as required by the Project Arborist. Pipes are to be treaded through roots.
- (c) The detailed design of the boardwalk / fire egress steps and location of the post or supports will be designed around major roots (>30mm dia) and constructed above the natural grade and to minimise impact to the trees. The design is to demonstrate that any excavation required for the piers/piles must be undertaken using non-destructive construction method such as hydro-vac or careful hand-dig to retain all roots >30mm in diameter.
- (d) The pavement driveway design within the TPZ of trees numbered in the table must demonstrate it is to be built above the natural grade to avoid severing roots. Compaction of the subbase within the TPZ shall be undertaken with a pedestrian-operated plate compactor only. New subbase materials shall be carefully installed and compacted around the roots >30mm using hand tools only. The design must demonstrate no edging, excavation, or re-grading is to occur within the existing natural ground of the TPZ of these trees.
- (e) The demolition plan must note all demolition works within the TPZ of existing trees will be carried out carefully using non-destructive construction techniques to carefully remove the material and avoid severing the surface roots. Note no excavation, or re-grading is to occur within the existing natural ground of the TPZ of these trees unless with written approval from the Project Arborist.

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

Reason: To ensure adequate protection of existing trees.

Final Landscape Plan

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

The final Landscape Plan must be consistent with plans numbered 23-093W rev T1 dated 21.03.2024, prepared by Taylor Brammer together with any additional criteria required by the Development Consent and address the following requirements:

- (a) Retention of trees numbered as per the Conditions of Consent.
- (b) The updated survey with existing trees to be shown on all plans.
- (c) TPZ and SRZ to be added to the retained trees for consistency and coordination, especially where non-destructive construction works are approved within the TPZ's.
- (d) The Asset Protection Zone (APZ) / bushfire protection demarcation line to be shown on all plans for coordination.
- (e) Ensure the VMP and planting plan are updated to reflect the bushfire report requirements within the Inner Protection Area (IPA): - All existing trees must be pruned to ensure the lowest limb is 2m above finished/natural ground level. This

reference must be included in the on-going maintenance and management strategy for the IPA of the site to ensure all trees, including the established new trees, over 5m in height, are to be pruned to meet the bushfire report requirements.

- (f) A 'mature' tree planting plan is required to demonstrate the above bush fire requirements are all met.
- (g) In addition to the above, tree replenishment to be provided minimum 100 litre container, must be able to reach a minimum mature height of thirteen (13) metres, and planted with a minimum setback of 5m to the outside wall or edge of a legally constructed building and a minimum 2m distance from any proposed or existing drainage line.

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

- (h) Add an aeration pipe to the treepit details
- (i) Replace the *Leptospermum petersonii* trees shown to be removed within the lawn area with suitable, native tree species.
- (j) No re-grading is to occur within the northwest corner of the steep embankment between the carpark and pool building (as shown on the bulk earthworks plan).
- (k) The design and location of the fire egress stairs to be adjusted to reflect the new surveyed tree locations to minimise impacting the root system.
- (l) Delete the remaining existing bitumen path (under the new bridge) to the junction of the existing path (to contour 60) to avoid a dead-end path. The demolished path to be replaced with plants.
- (m) The temporary construction access road to be shown to be replaced with turf once works are completed.
- (n) The location of all proposed service lines to be shown as per the survey plan and to be coordinated with the Civil Engineer plan.
- (o) Delete all proposed planting within the Structural Root Zone (SRZ) of the trees to be retained to avoid severing the roots.
- (p) Updated the proposed plant schedule indicating the above changes, planting locations, species type (including both botanic / common name) mature dimensions, plant numbers and the size of the containers at planting.
- (q) Add the existing ground lines and trees to the toddler sections for coordination.
- (r) Any new works to the toddler pool area are not to adversely impact the surrounding trees not marked for removal and the project arborist is to be on site during demolition works.
- (s) No works are to occur beyond the existing/demolished paving area around the toddler pool to ensure the existing trees are adequately retained and protected.
- (t) All non-destructive construction details within the TPZ of the trees to be retained and protected are to be prepared in conjunction with the Project arborist to ensure the trees will be adequately protected during the works.

Reason: To ensure restoration of environmental amenity.

Tree Protection Plan

16. Before the issue of the relevant Construction Certificate, the Tree Protection Management Plans is to be submitted to the written satisfaction of Council's Manager Development and Traffic Services Unit to ensure the existing trees have been adequately retained and protected and all works within the TPZ of the existing trees has been modified accordingly as per these conditions.

A Tree Protection Plan (TPP), prepared by a suitably qualified Consulting Arborist (Australian Qualification Framework Level 5), must accompany the application for a Construction Certificate. This TPP is to identify specific tree protection measures to be implemented for the trees located within the site and adjacent to the site during demolition and construction and the expected future health of the trees. The TPP must

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

- (a) A Tree Protection Plan showing the trees to be retained with the specific tree protection measures located on the plan and the percentage of encroachment into the TPZ identified.
- (b) The TPZ and SRZ to be shown on all plans for coordination.
- (c) Provide details of any details on the encroachment into the root system and/or canopy on the plan;
- (d) The TPP must identify the specific tree protection type and location required for each tree inclusive of canopy, trunk and tree root protection in accordance with AS 4970-2009 - *Protection of Trees on Development Sites*;
- (e) Discuss supervision of any approved works to be undertaken within the calculated Tree Protection Zones of the trees to be retained and protected, specific to each tree;
- (f) Provide guidance on the approved services to be installed within the TPZ of trees, to ensure non-destructive construction techniques are used to minimise the construction impact (i.e. bridging of roots);
- (g) Provide guidance on the approved landscaping (i.e. minimise cultivation, excavation planting techniques within the TPZ. No planting to occur within the SRZ);
- (h) Where works are to impact the tree canopies, a tree pruning diagram will be required to ensure the level of encroachment into the canopies will be minimised.
- (i) Where retained trees have a development setback and tree protection zone established, a recommended Tree Protection Specification and diagram should be provided in accordance with AS 4970—2009 *Protection of Trees on Development*.
- (j) Identify hold points at key stages in the construction works;
- (k) A Periodic Tree Inspection summary documenting the works within the TPZ, with photo evidence, will be required to be submitted to the PCA by the Project Arborist supervising the works. At the end of the works documentary evidence of compliance with these requirements will be required to be submitted to Council's DTSU Manager to ensure the works were carried out as per the TPMP.

Reason: To ensure adequate protection of existing trees.

Offset of residual biodiversity impacts

17. To offset the residual biodiversity impacts of the development, the class and number of ecosystem credits listed in the table below must be retired.

The requirement to retire credits may be satisfied by payment to the Biodiversity Conservation Fund of an amount equivalent to the class and number of ecosystem credits, as calculated by the Biodiversity Offsets Payment Calculator (the amount payable to discharge an offset obligation will be determined at the time of payment).

| Impacted plant community type/species | Number of credits | IBRA sub-region | Plant community type(s) / species that can be used to offset the impacts from development |
|---|-------------------|--|---|
| 3592-Sydney Coastal Enriched Sandstone Forest | 2 | Pittwater, Cumberland, Sydney Cataract, Wyong and Yengo. or Any IBRA subregion that is within 100 kilometres of the outer edge of the impacted site. | Sydney Coastal Dry Sclerophyll Forests This includes PCT's: 3583, 3592, 3594 |

Details demonstrating compliance with the requirement to retire credits or make payment to the Biodiversity Conservation Fund must be provided to the City of Parramatta Council – Manager Natural Resources or delegate prior to the issue of a Construction Certificate.

Reason: To ensure biodiversity offset requirements are fulfilled

Detailed engineering design

18. Detailed engineering design plans of a DDA compliant footpath connecting Stanley Road to the aquatic centre is to be submitted to Council's Traffic and Transport Manager for review and approval. The design of the proposed facility must consider AS 2890.1 and AS 2890.6 as well as other relevant disability access standards. The costs associated with the supply and construction of the facility is to be paid for by the applicant.

Reason: To ensure safe pedestrian access.

Vehicle manoeuvring

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

Reason: To ensure appropriate vehicular manoeuvring is provided.

Bicycle spaces

20. 15 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements

Car parking

21. Parking spaces are to be provided in accordance with the approved plans. A total of 109 parking spaces is to be provided. Details are to be illustrated on plans submitted with the construction certificate.

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

Splay from driveway

22. 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 submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials.

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

23. Deleted.

Outdoor lighting

24. Any new outdoor lighting must comply with the relevant provisions of AS/NZ 1158.3: 2020 Pedestrian Area (Category P) Lighting and AS/NZS 4282: 2023 Control of the Obtrusive Effects of Outdoor Lighting. outdoor lighting must comply with the relevant provisions of AS/NZ 1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

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

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

Accessibility

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

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

Impact on Existing Utility Installations

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

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

Stormwater Disposal

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

Reason: To ensure satisfactory stormwater disposal.

Retaining Walls

28. No approval is granted as part of this approval for the construction of any additional retaining wall/s (that is/are greater than 600mm in height or within 900mm of any property boundary) that are not marked on the approved plans.

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

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

Reason: To minimise impact on adjoining properties.

Sydney Water Quick Check

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

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

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

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

Dial Before you Dig Service

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

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

Support for Councils roads, footpaths, drainage reserves

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

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

Reason: To protect Council's infrastructure.

Structural Adequacy - Flood zone

32. The building within the flood zone must be designed and certified by a registered structural engineer to ensure the building does not fail due to floodwater forces, landslides, debris and buoyancy effects from flooding in events up to the 1 in 100 year level plus 500mm freeboard.

Reason: To ensure the structure can withstand flooding impacts.

Provide waste storage room on premises

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

- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types and bulky materials;
- (b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
- (c) Fenced enclosure with fencing over proposed waste storage room. Where blockwork or concrete walls are proposed these are to be cement rendered to a smooth, even surface and coved at all intersections;
- (d) Cold water being provided in the room with the outlet located 1.5m above floor level to avoid damage and a hose fitted with a nozzle being connected to the outlet;
- (e) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Reason: To ensure provision of adequate waste storage arrangements.

Long Service Levy

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

Reason: To ensure that the levy is paid.

Infrastructure & Restoration Administration

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

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

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

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

Security Bonds

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

| Bond Type | Amount |
|---|---------------|
| Development 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> | \$25,750 |

The payments will be used for the cost of:

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

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

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/764/2023
- (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 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.

PART C – PRIOR TO THE COMMENCEMENT OF BUILDING WORK

Appointment of PCA

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

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

Reason: To comply with legislative requirements.

Enclosure of the site

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

Reason: To ensure public safety.

Site Sign

39. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 detailing:
- (a) Unauthorised entry of the work site is prohibited;
 - (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
 - (c) The name, address and telephone number of the Principal Certifying Authority;
 - (d) The development consent approved construction hours;
 - (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
 - (f) This condition does not apply where works are being carried out inside an existing building.

Reason: Statutory requirement.

Public liability insurance

40. 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.

Dilapidation survey and report for private properties

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

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

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

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

Toilet Facilities

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

Tree protection during construction

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

Avoid, Minimisation and Mitigation Impacts

44. The 'Avoid, Minimisation and Mitigation of Impacts' requirements outlined in the Biodiversity Development Assessment Report (BDAR) prepared by Narla dated 24 May 2024 must be implemented prior to and during the demolition/construction process in accordance with the BDAR. Prior to the issue of an Occupation Certificate, the project ecologist is to submit a written report to the Certifying Authority certifying that the mitigation measures were undertaken in accordance with the BDAR and conditions of consent.

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

Relocation of tree trunks

45. At least two weeks before any tree removal works occur, the applicant shall contact Council's Natural Resources Team to discuss the relocation of tree trunks into the riparian zone of Somerville Park.

Reason: To salvage lost habitat.

Road Opening Permits

46. 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.

Erosion and Sediment Control measures

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

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

Site Maintenance

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

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

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

Special Permits

49. 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: To ensure proper management of public land.

Driveway Crossing Application

50. 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.

Noise Management Plan – Construction Sites

51. A noise management plan must be submitted to Council for approval prior to any work commencing and complied with during any construction works. The plan must be prepared by a suitably qualified person who possesses qualifications to render them eligible for membership with the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

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

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

Reason: To maintain appropriate amenity to nearby occupants.

Asbestos – hazardous management strategy

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

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

Asbestos – signage

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

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

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

Copy of development consent

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

Reason: To ensure compliance with this consent.

Hours of work and noise

- 55. All work (excluding demolition which has separate days and hours outlined below) including building, and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and

unloading of goods, transferring of tools, machinery etc.) in connection with the proposed development must only be carried out between the following hours:

- Monday to Friday inclusive: 7.00am and 5.00pm; and
- Saturday: 8.00am to 5.00pm.
- No work is to be carried out on Sunday or Public Holidays.

Demolition works are restricted to:

- Monday to Friday: 7.00am to 5.00pm; and
- No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.

Note: 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 area.

Complaints register

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

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

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

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

Noise

57. Noise emissions and vibration must be minimised, work is to be carried out in accordance with the NSW Department of Environment, Climate Change and Water's Interim Noise Construction Guidelines 2009 for noise emissions from demolition, excavation and construction activities.

Vibration levels resulting from demolition and excavation activities must not exceed 5mm/sec peak particle velocity (PPV) when measured at the footing of any nearby building.

Reason: To protect the amenity of the area and limit potential vibration impacts.

Waterways Protection

58. All works must be carried out so that:

- a. No materials are eroded, or likely to be eroded, are deposited, or likely to be deposited, on the bed or shore or into the waters of the adjoining creeks; and
- b. No materials are likely to be carried by natural forces to the bed, shore or waters of the adjoining creeks.

Any material that does enter creeks must be removed immediately.

Reason: To ensure protection of waterways.

Soil and Water Management – Stockpiles

59. 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.

Machinery is to be cleaned of soil and debris

60. All machinery is to be cleaned of soil and debris before entering the site to prevent the spread of weed and fungal pathogens such as Cinnamon Fungus (*Phytophthora cinnamomi*) and Chytrid Fungus (*Batrachomyces dendrobatidis*).

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

No removal of trees on public property

61. 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

62. 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), 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 trees to be retained on the site.

Excavation to be supervised by arborist

63. All approved works within the Tree Protection Zone (TPZ) distances below, is to be supervised by an Australian Qualifications Framework (AQF) Level 5 Consulting Arborist.

| Tree No. | Species | Common Name | Distance from trunk (TPZ) |
|----------|------------------------------|-------------------|---------------------------|
| 4 | <i>Eucalyptus sieberi</i> | Silver Topped Ash | 7.2m |
| 5 | <i>Corymbia gummifera</i> | Red Bloodwood | 7.2m |
| 6 | <i>Eucalyptus piperita</i> | Sydney Peppermint | 4.8m |
| 7 | <i>Angophora costata</i> | Sydney Red Gum | 7.2m |
| 9 | <i>Angophora costata</i> | Sydney Red Gum | 3.3m |
| 10 | <i>Eucalyptus piperita</i> | Sydney Peppermint | 4.8m |
| 11 | <i>Eucalyptus sieberi</i> | Silver Topped Ash | 8.7m |
| 12 | <i>Angophora costata</i> | Sydney Red Gum | 5.4m |
| 32 | <i>Syncarpia glomulifera</i> | Turpentine | 4.8m |
| 33 | <i>Angophora costata</i> | Sydney Red Gum | 6.0m |
| 36 | <i>Syncarpia glomulifera</i> | Turpentine | 7.2m |
| 37 | <i>Angophora costata</i> | Sydney Red Gum | 6.0m |
| 39 | <i>Eucalyptus pilularis</i> | Blackbutt | 9.0m |
| 54 | <i>Eucalyptus robusta</i> | Swamp Mahogany | 9.4m |
| 77 | <i>Pittosporum undulatum</i> | Native Daphne | 4.2m |

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. Any roots over 30mm in diameter are considered major roots. Council consent for pruning of roots >30mm is required, unless there is written approval from the Project Arborist to ensure the pruning will not be detrimental to the long-term health of the tree.

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 and forwarded to the Certifying Authority.

Reason: To provided adequate protection of trees.

Excavation in the vicinity of trees

64. No excavation is to occur within the Structural Root Zone (SRZ) distance specified below:

| Tree No. | Species | Common Name | Distance from trunk (SRZ) |
|----------|------------------------------|-------------------|---------------------------|
| 4 | <i>Eucalyptus sieberi</i> | Silver Topped Ash | 2.8m |
| 5 | <i>Corymbia gummifera</i> | Red Bloodwood | 2.8m |
| 6 | <i>Eucalyptus piperita</i> | Sydney Peppermint | 2.3m |
| 7 | <i>Angophora costata</i> | Sydney Red Gum | 2.8m |
| 9 | <i>Angophora costata</i> | Sydney Red Gum | 2m |
| 10 | <i>Eucalyptus piperita</i> | Sydney Peppermint | 2.4m |
| 11 | <i>Eucalyptus sieberi</i> | Silver Topped Ash | 3m |
| 12 | <i>Angophora costata</i> | Sydney Red Gum | 2.5m |
| 32 | <i>Syncarpia glomulifera</i> | Turpentine | 2.3m |

| | | | |
|----|------------------------------|----------------|------|
| 33 | <i>Angophora costata</i> | Sydney Red Gum | 2.6m |
| 36 | <i>Syncarpia glomulifera</i> | Turpentine | 2.8m |
| 37 | <i>Angophora costata</i> | Sydney Red Gum | 2.6m |
| 54 | <i>Eucalyptus robusta</i> | Swamp Mahogany | 3.1m |
| 77 | <i>Pittosporum undulatum</i> | Native Daphne | 2.2m |

Reason: To ensure the protection of trees.

No attachments to trees

65. No service, structure, conduit or the like is permitted to be fixed or attached to any tree.

Reason: To ensure the protection of trees.

Advanced tree planting

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

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

Tree removal

67. The following trees identified within the Arboricultural Impact Assessment (AIA): Tree IQ rev B dated 29.05.2024 **are approved to be removed** - trees numbered 1, 2, 3, 8, 15, 18, 19, 20 (dead) 21, 22, 23, 24, 25, 26, 27, 28, 34, 40, 41, 42, 43, 44, 45, 46, 47, 49, 50, 51, 57, 58, 68, 69 & 71.

Reason: To facilitate the development, landscape improvements and as part of the vegetation management plan.

Trees with adequate root volume

68. 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

69. 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.

Remediation Action Plan (RAP)

70. Remediation works shall be carried out in accordance with the Remediation Action Plan numbered Ref: E33699PTcpt4-RAP prepared by JK Environments Pty Ltd received by Council on 15 March 2024. The applicant shall inform Council in writing of any proposed variation to the remediation works. Council shall approve these variations in writing prior to the commencement of works.

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

Validation Report - Remediation

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

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

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

Imported fill

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

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

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

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

Signage – Contamination

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

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

Requirement to notify about new contamination evidence

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

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

Contaminated waste to licensed EPA landfill

75. 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.

Completion of Construction Asbestos Management Plan

76. Written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:

(a) CONSTRUCTION PHASE ASBESTOS MANAGEMENT PLAN (AMP) No E33699PTrpt6-AMP dated 15 March 2024, prepared by JK Environments Pty Ltd.

Reason: To ensure adequate implementation of the Construction Asbestos Management Plan.

Dust Control

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

Reason: To protect the amenity of the area.

Management of Construction and/or Demolition Waste

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

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

Storage of hazardous materials or toxic materials

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

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

Asbestos – records of disposal & licensed waste facility

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

Reason: To ensure appropriate disposal of asbestos materials.

Asbestos – handled & disposed of by licensed facility

81. 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 maintained

82. 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 disposal

83. 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

84. 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.

Contaminated waste to licensed EPA landfill

85. 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.

Clinical waste storage/disposal

86. Clinical waste, waste containers and storage areas must be managed to comply with the NSW Health Policy Directive Clinical and Related Waste Management for Health Services 2017, Protection of the Environment Operations Act 1997 and Regulations.

Reason: To ensure clinical waste is managed in accordance with legislative requirements.

Road Occupancy Permit

87. 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

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

Reason: To ensure maintenance of Council's assets.

Drainage to existing system

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

Reason: Stormwater control.

Driveway trench at boundary

90. A 200mm wide grated drain, incorporating a heavy duty removable galvanised grate is to be located within the site at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.

Reason: Stormwater control.

Erosion & sediment control measures

91. 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

92. 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

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

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

94. Deleted.

Vehicle egress signs

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

Reason: To ensure pedestrian safety.

PART E – PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

Occupation Certificate

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

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

Certification by qualified landscape architect

97. A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved landscape plan. All landscape works must be completed prior to the issue of an Occupation Certificate.

Reason: To ensure restoration of environmental amenity.

Certification by Project Ecologist

98. Prior to the issue of an Occupation Certificate, the applicant is to submit certification by the Project Ecologist to the satisfaction of Council's Manager Natural Resources or delegate that certifies that the Vegetation Management Plan prepared by Narla [dated 25 March 2024] has commenced in accordance with this document, approved plans and consent conditions.

Reason: To ensure adequate implementation of the Vegetation Management Plan.

Completion of Operational Asbestos Management Plan

99. Written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:

(a) OPERATIONAL ASBESTOS MANAGEMENT PLAN (OAMP) No. E33699PTTrpt5-OAMP, dated 15 March 2024, prepared by JK Environments Pty Ltd

Reason: To ensure adequate implementation of the Operational Asbestos Management Plan.

Remediation – Validation and Site Audit Statement

100. A copy of the validation report and site audit statement as required to be prepared in accordance with Condition 71 of this consent shall be submitted to the PCA and Council before the issue of an occupation certificate.

Reason: To ensure the site has been remediated in accordance with the consent.

Sustainability Certification

101. Prior to any Occupation Certificate being issued, the PCA is to be provided with certification from a suitable qualified person that all of the sustainability measures have been provided in accordance with the requirements of this Notice.

Reason: To ensure sustainability measures have been implemented in accordance with the consent.

Event Traffic Management Plan

102. Prior to the issue of the relevant occupation certificate, the applicant must submit an Event Traffic Management Plan, as nominated in the Traffic Impact Assessment report by TTTW dated 20 December 2023, to the satisfaction of Council's Traffic and Transport Manager. The Plan must include the following requirements:

- Preferred access routes to and from the car park;
- Internal circulation routes to be followed and queuing procedures;
- Unloading / loading areas and procedures (ie. drivers to stay in their vehicles) including bus layover areas if applicable;
- Measures to be put in place for the general public including access to the car park and the facility;
- Pedestrian access arrangements to, from and within the site.

Reason: To ensure appropriate operations of the parking facilities.

Section 73 Certificate

103. A compliance certificate must be obtained from Sydney Water, under Section 73 of the Sydney Water Act 1994. Sydney Water assessment will determine the availability of water and wastewater services, which may require extensions, adjustments, or connections to our mains. Make an early application for the certificate, as there may be assets to be built and this can take some time. A Section 73 Compliance Certificate must be obtained before an Occupation or Subdivision Certificate will be issued.

Applications can be made either directly to Sydney Water or through a Sydney Water accredited Water Servicing Coordinator.

Go to the Sydney Water website or call 1300 082 746 to learn more about applying through an authorised WSC or Sydney Water.

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

Requirement for Trade Waste Agreement

104. A trade waste agreement to be reviewed and confirmed by Sydney Water prior to the discharge of trade wastewater to the sewer system if required. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'. Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund.

Reason: To ensure proper disposal of waste water.

Street Numbering

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

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

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

Lot consolidation

106. All individual parcels of land holding a separate title within the development site must be consolidated into one lot as indicated within the approved consolidation plan. A plan of consolidation must be registered with the Land and Property Information Division of the NSW Land Registry Services, prior to an Occupation Certificate being issued.

Reason: To comply with the Conveyancing Act 1919.

Reinstatement of laybacks

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

Reason: To provide satisfactory drainage.

All works/methods/procedures/control measures

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

(a) Acoustic Report No: 210060, dated: 20/12/2023, prepared by: JHA

Reason: To demonstrate compliance with submitted reports.

Details of commercial contract for collection

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

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

Medical waste – disposal by authorised contractor

110. Medical wastes shall be disposed of by an authorised waste disposal contractor. Contractor details are to be submitted to the Principal Certifying Authority before the issue of an occupation certificate.

Reason: To ensure proper disposal of medical wastes.

Ventilation – waste storage rooms

111. Adequate ventilation to the waste storage room shall be provided in accordance with the requirements of the Building Code of Australia. Certification that the system functions in accordance with Australian Standard AS 1668 is to be provided to the certifying authority prior to occupation of the premises.

Reason: To ensure compliance with BCA requirements.

Release of Bonds

112. When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with Condition X of this consent.

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

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

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

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

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

PART F – OCCUPATION AND ONGOING USE

Landscaping maintenance

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

Reason: To ensure restoration of environmental amenity.

Use is not to cause offensive noise or vibration

114. The use of the premises not giving rise to:
- (a) transmission of unacceptable vibration to any place of different occupancy,
 - (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

No 'offensive noise'

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

Reason: To reduce noise levels.

Noise from mechanical equipment

116. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

Hazardous/Clinical waste disposal

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

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

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

Dangerous goods storage

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

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

Storage of hazardous material in bunded area

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

Reason: To ensure that hazardous materials are correctly contained.

Material Safety Data Sheets

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

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

Amenity of waste storage areas

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

122. 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.

Ongoing Management of Wastes (general)

123. All waste generated onsite must be removed at regular intervals and no less frequent than once weekly for garbage and once fortnightly for recycling. The collection of waste and recycling must not cause nuisance or interfere with the amenity of the surrounding area. Garbage and recycling must not be placed on public property for collection without the formal approval of Council. Waste collection vehicles servicing the development onsite must enter and exit a property in a forward direction.

Reason: To ensure that waste does not accumulate onsite.

Remove putrescible waste at sufficient frequency

124. 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

Air Emissions – Use of premises

125. The use of the premises must not give rise to the emission of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health. Gaseous emissions from the development must comply with the requirements of the Protection of the Environment Operations Act, 1997 and Regulations. Uses that produce airborne particulate matter must incorporate a dust collection system.

Reason: To control offensive emissions and ensure the protection of the local environment.

Plant and Equipment on site

126. All plant and equipment on site shall be operated and maintained in a proper and efficient manner so as to not cause air pollution.

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

Hazardous materials disposal

127. To reduce the risk of pollution to natural water courses, all hazardous waste materials are to be stored, used and disposed in accordance with plans, detail and recommendations submitted by JK Environments, dated 18 December 2020, Reference No. E33699PTrpt-HAZ

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

Spill clean up equipment

128. Sufficient supplies of appropriate absorbent materials and/or other spill clean-up equipment shall be kept on site to recover any liquid spillage. Liquid spills shall be cleaned up using dry methods only.

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

Duty to Notify Pollution Incidents

129. Council being the 'appropriate regulatory authority' must be notified immediately of any pollution incident where material harm to the environment is caused or threatened. This duty extends to persons carrying on an activity, employers and employees, contractors and the occupier of the premises where the incident occurs.

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

Stormwater Management – General

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

Reason: To ensure that stormwater drains are not polluted.

Signage for stormwater drains

131. Sign(s) shall be displayed and maintained adjacent to all stormwater drains on the premises, clearly indicating 'stormwater only'.

Reason: To promote awareness for the protection of waterways.

Maintenance of stormwater treatment devices

132. All wastewater and stormwater treatment devices (including drainage systems, sumps and traps) shall be regularly maintained in order to remain effective. All solid and liquid wastes collected from the device must be disposed of in accordance with the Protection of the Environment Operations Act 1997.

Reason: To ensure effective operation of equipment.