

Parramatta P Holdings Pty Ltd  
Parramatta P Holdings Discretionary Trust  
35/181 Church Street  
Parramatta, NSW 2150

2 October 2024

Dear Sir/Madam,

## **APPLICATION TO MODIFY DEVELOPMENT CONSENT NOTICE OF DETERMINATION**

Pursuant to Clause 118 of the Environmental Planning and Assessment  
Regulations 2021

Development Application No:	DA/240/2021/A
NSW PAN Reference No:	PAN-374276
Property Address:	LOT 1 DP 609963 2 Palmer Street, Parramatta, NSW 2150
Modification sought:	Section 4.55(2) modification of DA/240/2021 for construction of a seven-storey centre-based child care facility to accommodate 184 children over two levels of basement car parking. Modifications include an increase in the number of children from 184 to 232, provision of a children and parents community garden on the roof, an increase to the building height of up to 3m, an extension to the footprint of the outdoor play area on level 6, and internal and external alterations.
Determination Status:	<b>APPROVED</b>
Determination Date:	24 September 2024
Consent to operate from:	1 September 2022
Consent to lapse on:	1 September 2027

(If physical commencement has not occurred)

You are advised that pursuant to Section 4.55 of the Environmental Planning and Assessment Act 1979, the application to modify the development consent issued by Council is **APPROVED**.

**Contact us:**

council@cityofparramatta.nsw.gov.au | 02 9806 5050  
@cityofparramatta | PO Box 32, Parramatta, NSW 2124  
ABN 49 907 174 773 | [cityofparramatta.nsw.gov.au](https://www.cityofparramatta.nsw.gov.au)

Council has updated the original consent notice to incorporate the amendments approved under this modification. Amended conditions are in **bold**. Accordingly, the current conditions of consent that apply to this development are:

## **PART A – GENERAL CONDITIONS**

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

Architectural Drawings prepared by Arquero Architecture Pty Ltd (**Project No. 20157**)

Sheet No.	Rev	Plan Title	Dated
A99	C	Drawing List	28/03/2022
<b>A100</b>	<b>B</b>	<b>Plan – Context</b>	<b>12/04/2024</b>
<b>A101</b>	<b>B</b>	<b>Plan - Site</b>	<b>12/04/2024</b>
<b>A200</b>	<b>A</b>	<b>Plan – Basement 2</b>	<b>17/08/2023</b>
<b>A201</b>	<b>A</b>	<b>Plan – Basement 1</b>	<b>17/08/2023</b>
<b>A202</b>	<b>C</b>	<b>Plan - Ground Floor</b>	<b>15/07/2024</b>
<b>A203</b>	<b>A</b>	<b>Plan – Level 1</b>	<b>17/08/2023</b>
<b>A204</b>	<b>C</b>	<b>Plan – Level 2</b>	<b>15/07/2024</b>
<b>A205</b>	<b>B</b>	<b>Plan – Level 3</b>	<b>12/04/2024</b>
<b>A206</b>	<b>C</b>	<b>Plan – Level 4</b>	<b>15/07/2024</b>
<b>A207</b>	<b>B</b>	<b>Plan – Level 5</b>	<b>12/04/2024</b>
<b>A208</b>	<b>A</b>	<b>Plan – Level 6</b>	<b>17/08/2023</b>
<b>A209</b>	<b>B</b>	<b>Plan – Roof</b>	<b>12/04/2024</b>
<b>A300</b>	<b>C</b>	<b>Elevation – West</b>	<b>15/07/2024</b>
<b>A301</b>	<b>B</b>	<b>Elevation – North and South</b>	<b>15/07/2024</b>
<b>A302</b>	<b>B</b>	<b>Elevation – East</b>	<b>12/04/2024</b>
<b>A310</b>	<b>A</b>	<b>External Finishes</b>	<b>17/08/2023</b>
<b>A320</b>	<b>B</b>	<b>Elevation - South - Details</b>	<b>12/04/2024</b>
<b>A321</b>	<b>C</b>	<b>Elevation - South - Details</b>	<b>15/07/2024</b>
<b>A322</b>	<b>B</b>	<b>Elevation - South - Details</b>	<b>12/04/2024</b>
<b>A323</b>	<b>C</b>	<b>Elevation – West - Details</b>	<b>15/07/2024</b>
<b>A324</b>	<b>B</b>	<b>Elevation – West - Details</b>	<b>12/04/2024</b>
<b>A325</b>	<b>C</b>	<b>Elevation – West - Details</b>	<b>15/07/2024</b>
<b>A326</b>	<b>B</b>	<b>Elevation – North – Detail</b>	<b>12/04/2024</b>
<b>A350</b>	<b>B</b>	<b>Elevation – Context</b>	<b>15/07/2024</b>
<b>A351</b>	<b>B</b>	<b>Elevation – Context</b>	<b>15/07/2024</b>

Sheet No.	Rev	Plan Title	Dated
A352	C	Elevation – Context	15/07/2024
A360	B	West Elevation – Climbers	12/04/2024
A400	B	Sections	12/04/2024
A401	C	Sections	15/07/2024
A402	B	Sections	12/04/2024
A405	B	Section - Driveway	12/04/2024
A450	B	Sections – Balustrading	12/04/2024
A451	C	Sections – Details of Voids	15/07/2024
A452	E	Sections – Planter Box	28/03/2022
A700	C	Details – Bottle Prep	28/03/2022
A910	B	Solar Access – June 21 <sup>st</sup> 9am	28/03/2022
A911	B	Solar Access – June 21 <sup>st</sup> 12pm	28/03/2022
A912	B	Solar Access – June 21 <sup>st</sup> 3pm	28/03/2022
A913	B	Solar Access - Tables	28/03/2022
A914	B	Solar Access - Tables	28/03/2022
A915	B	Solar Access - Tables	28/03/2022
A919	B	Reception Accessible Design	28/03/2022
A920	A	Staff Room Accessible Design	28/03/2022

**Civil Drawings/Stormwater prepared by Quantum Engineers (Project No. 200318 SW)**

Drawing No.	Rev	Plan Title	Dated
D1	E	Details Notes & Legend	28/04/2022
D2	E	Basement Level 2 Plan	28/04/2022
D3	E	Basement Level 1 Plan	28/04/2022
D4	E	Site/Ground Floor Plan	28/04/2022
D5	E	Roof Plan	28/04/2022
D6	E	Suspended OSD/Storm filter Details & Calculations	28/04/2022
D7	E	WSUD 'Music' calculations & Details	28/04/2022
D7	E	Stormwater Details	28/04/2022
D8	E	Sediment Control Plan & Details	28/04/2022

Landscape Drawings prepared by Paterson Design Studio

<b>Drawing No.</b>	<b>Rev</b>	<b>Plan Title</b>	<b>Dated</b>
LA 1	G	Cover Page	26/07/2024
LA 2-3	G	Landscape Specification	26/07/2024
LA 4	G	Landscape Maintenance Strategy	26/07/2024
LA 5	G	Landscape Plan – Ground	26/07/2024
LA 6	G	Landscape Plan – Level 1	26/07/2024
LA 7	G	Landscape Plan – Level 2	26/07/2024
LA 8	G	Landscape Plan – Level 3	26/07/2024
LA 9	G	Landscape Plan – Level 4	26/07/2024
LA 10	G	Landscape Plan – Level 5	26/07/2024
LA 11	G	Landscape Plan – Level 6	26/07/2024
LA 12	G	Landscape Plan – Level 7/Community Garden	26/07/2024
LA 13-14	G	Landscape Section/Elevation	26/07/2024
LA 15-16	G	Plant Schedule	26/07/2024
LA 17-19	G	Landscape Details and Maintenance Details	26/07/2024

Specialist Reports

<b>Document</b>	<b>Prepared By</b>	<b>Dated</b>
Supplementary Traffic and Parking Advice	McLaren Traffic	26/07/2022
TfNSW Response with conditions	TfNSW	28/07/2022
Flood Emergency Plan	Molino Stewart Pty Ltd	April 2022
Access Assessment Report	Jensen Hughes Pty Ltd	17/08/2023
BCA Report	Jensen Hughes Pty Ltd	18/08/2023

<b>Fire Engineering DA Statement</b>	<b>GHD</b>	<b>21/08/2023</b>
<b>Plan of Management</b>	<b>Lynda Campbell on behalf of Parramatta P Holdings Pty Ltd</b>	<b>17/08/2023</b>
<b>Traffic and Car Parking Plan</b>	<b>McLaren Traffic Engineering</b>	<b>18/08/2023</b>
<b>Waste Management Plan</b>	<b>Dickens Solutions</b>	<b>September 2023</b>
Air Quality Assessment	CETEC Pty Ltd	Jan 2021
<b>Acoustic Assessment</b>	<b>The Acoustic Group</b>	<b>03/09/2023</b>
Acid Sulphate Soil Assessment	Geotechnique Pty Ltd	14/12/2021
Water NSW Comments	WaterNSW	18/05/2021
Endeavour Energy Response	Endeavour Energy	29/03/2021
Sydney Water Response	Sydney Water	7/04/2021
<b>Statement of Heritage Impact</b>	<b>Archnex Designs</b>	<b>September 2023</b>
<b>Statement of Environmental Effects</b>	<b>Caladines Town Planning Pty Ltd</b>	<b>September 2023</b>
<b>Fire Safety and emergency plan</b>	<b>GHD</b>	<b>21/08/2023</b>
<b>Design Excellence Advisory Pael Report</b>	<b>City of Parramatta</b>	<b>08/02/2024</b>

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

***\*As amended under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

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

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

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

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

4. Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy of **\$20,745.00** as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

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

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

- 4a. **All waste storage areas/rooms are to comply with the City of Parramatta Waste Management Guidelines for New Developments. No waste materials are to be stored outside the building or any approved waste storage area at any time.**

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

*\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979*

- 4b. 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:

1. The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types and bulky materials;
2. 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;
3. The walls being cement rendered to a smooth, even surface and coved at all intersections;

4. 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;
  5. 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

*\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979*

- 4c. The proposed development must comply with the updated access report from Jensen Hughes Pty Ltd, Ref: 112664, Revision 4, Dated 17 August 2023.
- Reason:** To ensure compliance with relevant requirements.

*\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979*

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

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

5. 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.
6. If no retaining walls are marked on the approved plans no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600mm in height or within 900mm of any property boundary.

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

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

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

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7. 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.

8. 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.

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

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

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

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



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10. The building must be designed and certified by a registered structural engineer to ensure the building does not fail due to floodwater forces, 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.

11. The building must include a flood warning alarm system activated by a float valve. Details must be provided to the satisfaction of the Certifying Authority prior to issue of the Construction Certificate.

**Reason:** To ensure the flood warning system is installed.

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

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

- Quantum Engineers Stormwater Management Plans 28 04 2022 Rev E

- (b) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.

- (c) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

**Reason:** To minimise the quantity of storm water run-off from the site, surcharge from the existing drainage system and to manage downstream flooding.

13. A stormwater quality treatment system must be installed to manage surface runoff water discharges from the site and to satisfy section 3.3.6.1 of Parramatta City Council Development Control Plan 2011. Details of the proposed system must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

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

**Reason:** To ensure the protection of existing public infrastructure and adjoining properties.

15. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing numbers DS9 and DS10. Details must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

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

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

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

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

17. 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.

18. 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.

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

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

20. a) The basement must be protected from the ingress of floodwater up to the Probable Maximum Flood level, which may be assumed to be RL 12.0 AHD. This is likely to require installation of a floodgate across the driveway and other measures, such as flood doors at openings.
- b) Detailed plans of these measures and their operational requirements shall be prepared and incorporated in an updated Flood Emergency Response Plan and this must be submitted for Council approval by the Group Manager DTSU prior to release of the Construction Certificate.
- c) Works as executed plans prepared by a Registered Surveyor and certified by the relevant Engineer showing implementation of the approved flood exclusion measures must be submitted for Council approval prior to release of the Occupation Certificate.
- d) Arrangements satisfactory to Council regarding education of owners and occupants about flood risk management and implementation of the Flood Emergency Response Plan must be in place prior to release of the Occupation Certificate and this must include placing the Flood Emergency Response Plan on the title of the land.

**Reason:** Protection from flooding.

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

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

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

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

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

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

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

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

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

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

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

23. 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.

24. **A monetary contribution comprising \$206,211.00 is payable to City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the *Parramatta CBD Contributions Plan (Amendment No. 5)*. Payment must be by EFTPOS, bank cheque or credit card only.**

The contribution is to be paid to Council prior to the issue of a construction certificate.

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

*Parramatta CBD Contributions Plan (Amendment No. 5)* can be viewed on Council's website at:

<https://www.cityofparramatta.nsw.gov.au/business-development/planning/development-contributions>

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

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***\*As amended under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

25. 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.

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

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

27. **Ten (10) bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.**

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

***\*As amended under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

28. ***Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS 2890.2 and AS 2890.6. A maximum of 15 parking spaces is to be provided and be allocated as follows:***

- (a) A maximum of four (4) parking spaces for staff parking;***
- (b) A minimum of 11 visitor parking spaces including one (1) space as accessible parking.***

***Details are to be illustrated on plans submitted with the construction certificate application.***

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

***\*As amended under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

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29. 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.

30. One (1) motorcycle spaces are to be provided on-site and used accordingly. The dimensions of the motorcycle spaces are to comply with Clause 2.4.7 and Figure 2.7 of AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.

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

**31. Deleted**

***\*As deleted under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

32. A 1.2m wide separate pedestrian pathway from car parking spaces to the lift and stairs is to be provided and marked on the ground to provide a safe pedestrian environment. Details are to be illustrated on plans submitted with the construction certificate.

**Reason:** To comply with Child Care Planning Guideline and Council's Development Control Plan.

- 32A. Prior to the issue of a Construction Certificate, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that appropriate design and construction materials are to be utilised within the development to ensure compliance with the following noise criteria specified for managing the noise impact on child-care centres from rail corridors and/or busy roads:**

**In any area: 40dB(A) at any time.**

**Reason:** Compliance with relevant noise amenity criteria in Infrastructure SEPP.

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

**32B. Plans and documents submitted must include the following changes with an application for a Construction Certificate:**

- (a) Construction details are to be provided by a suitably qualified Structural Engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens.**
- (b) All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.**
- (c) Any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect.**
- (d) Soil volume, depth and soil area must meet the following prescribed standards in the Apartment Design Guide (ADG) – Part 4, 4P *Planting on Structures - Tools for improving the design of residential apartment development* (NSW Department of Planning and Environment, 2015):**
  - Typical tree planting on structure detail to show overall 800-1200mm soil depth. (Soil Volume to be reflective of proposed tree species size)**
  - Typical shrub planting on structure detail to show minimum 500-600mm soil depth,**
- (e) A landscape maintenance schedule is required to ensure all landscape areas are well maintained for a sufficient period of time (minimum 1 year)**
- (f) An Irrigation plan and specification must be provided by a suitably qualified Hydraulic Engineer.**

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

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

**32C. The final Landscape Plan must be consistent with plans prepared by PDS, document ID set numbered 64622, rev G dated 26.07.2024, together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:**

- (a) All proposed softscape details to be provided.**
- (b) Details for all proposed hardscape structures to be provided.**
- (c) Trees should be self-supporting from the nursery.**

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

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***



- 32D. 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.**

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

- 32E. Prior to the issue of any construction certificate or any preparatory, demolition or excavation works, whichever is earlier, the applicant must:**

**Prepare a Construction Pedestrian and Traffic Management Plan (CPTMP) in consultation with Transport for NSW (TfNSW). The CPTMP needs to specify matters including, but not limited to, the following:**

- (a) A description of the development.**
- (b) Location of any proposed work zone(s).**
- (c) Details of crane arrangements including location of any crane(s) and crane(s) movement plan.**
- (d) Haulage routes.**
- (e) Proposed construction hours.**
- (f) Predicted number of construction vehicle movements, detail of vehicle types and demonstrate that proposed construction vehicle movements can work within the context of road changes in the surrounding area, noting that construction vehicle movements are to be minimised during peak periods.**
- (g) Construction vehicle access arrangements.**
- (h) Construction program and construction methodology, including any construction staging.**
- (i) A detailed plan of any proposed hoarding and/or scaffolding.**
- (j) Measures to avoid construction worker vehicle movements within the Parramatta Precinct.**
- (k) Consultation strategy for liaison with surrounding stakeholders, including other developments under construction and Parramatta Light Rail Builder.**
- (l) Identify any potential impacts to general traffic, cyclists, pedestrians, bus services and any light rail within the vicinity of the site from construction vehicles during the construction of the proposed works. Proposed mitigation measures should be clearly identified and included in the CPTMP.**
- (m) Identify the cumulative construction activities of the development and other projects within or around the development site, including the Parramatta Light Rail Project and private development. Proposed measures to**

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minimise the cumulative impacts on the surrounding road network should be clearly identified and included in the CPTMP.

Submit a copy of the final plan to TfNSW for endorsement and provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and, to TfNSW via [development.CTMP.CJP@transport.nsw.gov.au](mailto:development.CTMP.CJP@transport.nsw.gov.au) to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.

No ROLs are permitted that may affect the construction, testing or operations of the PLR. Any ROLs that may affect this project would need to be consulted with the PLR operator and approved. Once PLR is in operation, the applicant must comply with the PLR operator policies, rules and procedures when working in and around the PLR corridor.

*\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979*

- 32F. Transport for NSW (TfNSW) notes the proposal will provide 15 car parking spaces. Due to the construction of the Parramatta Light Rail (PLR), within proximity to the site and the connection between Palmer Street and Church Street, the increased demand on kerbside space along Palmer Street is expected to be greater. Accordingly, all pick-up and drop-off should occur off-street as kerbside restrictions cannot be relied upon:

Prior to the issue of any construction certificate, the applicant must prepare a detailed Precinct wide Car Park and Loading Dock Management Plan in consultation with TfNSW. The applicant to please submit a copy of the final plan to TfNSW for endorsement via [development.CTMP.CJP@transport.nsw.gov.au](mailto:development.CTMP.CJP@transport.nsw.gov.au)

Plan needs to specify, but not be limited to, the following:

- Details on the distance of the carpark/loading dock entrance and exit from Church Street intersection;
- Queuing analysis for the carpark;
- Details of the development's freight and servicing profile, including the forecast freight and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay for all land uses of the proposal;
- Details of loading and servicing vehicle parking within the site that adequately accommodates the forecast demand of the

proposal (including long dwell time vehicles) to alleviate if not remove reliance on the kerbside restrictions to conduct the development's business, including any necessary additional loading/service vehicle parking;

- Measures to ensure there is no queuing of freight and service vehicles including details of alternative parking locations to redirect vehicles if queuing occurs;
- Loading bay management details including controls of duration of delivery vehicle stay;
- Management details to ensure all long-term loading and servicing is accommodated within the loading dock;
- Measures for tradesman access and parking; and
- Details on how the loading area will be managed and used by all building tenants.

**The Car Park and Loading Dock Management Plan to be implemented by the applicant following the issue of the Occupation Certificate.**

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

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

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

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

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

- (a) Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:
  - (i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
  - (ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
  - (iii) The locations of proposed Work Zones in the egress frontage roadways,
  - (iv) Location of any proposed crane standing areas,
  - (v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,

- (vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
  - (vii) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
  - (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
  - (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

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

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

- (iii) Minimising construction related traffic movements during school peak periods.

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

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

- 35. 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.

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

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

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

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

**Reason:** Management of records.

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37. 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.
38. 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.
39. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:
- (a) Protect and support the adjoining premises from possible damage from the excavation
  - (b) Where necessary, underpin the adjoining premises to prevent any such damage.
- Note:** If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.
- Reason:** As prescribed under the Environmental Planning and Assessment Regulation 2000.
40. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:
- (a) On-street mobile plant:  
 E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc.

Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.

- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:  
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs..

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

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

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

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

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

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

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

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

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

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

43. 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.

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

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



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45. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:
- (a) expected volumes and types of waste to be generated during the demolition and construction stages of the development;
  - (b) destination of each type of waste, including the name, address and contact number for each receiving facility.
- The Waste Management Plan is to be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of any works on site.
- Reason:** To ensure waste is managed and disposed of properly.
46. 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.
47. The site must be enclosed by a 1.8m high security fence erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.
- Reason:** To ensure public safety.
48. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 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.

49. 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.

- 49A. The design and construction of any food / beverage preparation facilities and waste storage areas associated with this activity shall satisfy the requirements of food safety standards prescribed under the Food Act 2003, as well as Australian Standard AS 4674 - 2004: 'Design, Construction and Fit-out of Food Premises'. Final design drawings for these areas are to be submitted to the principal certifying authority prior to commencement of work.**

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

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

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

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

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

51. 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.

52. 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.

53. A Standard Kerb Ramp is to be constructed at the intersection of Palmer Street and Palmer Lane in accordance with Council Plan No. DS4. Details must be submitted to and be approved by Council prior to construction. All costs must be borne by the applicant.

**Reason:** To provide adequate access.

54. 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.

55. 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.

56. 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.
57. A Waste Data file is to be maintained, recording building/demolition contractor's details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.  
**Reason:** To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.
58. 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.
59. 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.
60. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and Australian & New Zealand Guidelines for Fresh & Marine Water Quality. Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.  
**Reason:** To prevent pollution of waterways.
61. Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property. A de-watering plan is required to be included and submitted to Council for review prior to issue of a Construction Certificate.

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

62. 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.

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

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

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

**Reason:** To ensure pedestrian access.

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

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

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

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

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

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

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

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

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

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

66. 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.

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

OR

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

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

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

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

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

69. 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.

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

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

- 70A. 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.

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

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

71. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:
- (a) The development application and Construction Certificate number as registered;
  - (b) The address of the property at which the inspection was carried out;
  - (c) The type of inspection;
  - (d) The date on which it was carried out;
  - (e) The name and accreditation number of the certifying authority by whom the inspection was carried out; and
  - (f) Whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

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

72. Before the issue of the relevant occupation certificate, the applicant must submit, to the satisfaction of the principal certifier, works-as-executed plans, any compliance certificates and any other evidence confirming the following completed works:
- (a) All stormwater drainage systems and storage systems
  - (b) The following matters that Council requires to be documented
    - (i) *The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.*
    - (ii) *The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.*
    - (iii) *The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table*
    - (iv) *OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).*
    - (v) *Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).*
    - (vi) *Certificate of Structural compliance of the OSD tank walls and cover slab from a qualified structural engineer*

The principal certifier must provide a copy of the plans to Council with the occupation certificate.

**Reason:** To confirm the location of works once constructed that will become council assets



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

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

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

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

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

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

74. 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.

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

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

DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

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

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

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

**Reason:** Pedestrian and Vehicle safety.

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

**Reason:** To provide adequate access.

77. 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.

78. **Prior to the issue of an occupation certificate (Interim or Final), written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the following report have been completed: Acoustic Report No. 53.5441.R2:MSC, dated 03/09/2023, prepared by The Acoustic Group.**

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

***\*As amended under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

79. Prior to an Occupation Certificate being issued, Council must be notified that the premises is to be used for the preparation of food for sale so that the premises can be registered on Council's food premises licensing database.  
**Reason:** Compliance with the requirements of the Food Act.
80. Adequate ventilation to work areas and other occupied enclosures shall be provided in accordance with the requirements of the Building Code of Australia. Where any system of mechanical ventilation is installed, certification that the system functions in accordance with Australian Standard AS/NZS 1668.2.2012 is to be provided to the certifying authority prior to occupation of the premises.  
**Reason:** To comply with the Building Code of Australia and the relevant Australian Standard.
81. Certification to be provided to the principal certifying authority (PCA), prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety standards prescribed under the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004.  
It is incumbent on the PCA to determine the competency of the person providing this certification, based on that person's qualifications, experience and currency of practice.  
**Reason:** To ensure construction and fit-out of the premises meets relevant public health standards.
82. 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.
83. 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.
84. A detailed Operational Transport Management Plan (OTMP) prior to occupancy, to be provided.  
The OTMP is to be prepared by a suitably qualified person, in consultation with TfNSW, and to include parking management and drop-off and pick-up for the proposal, if operational demand during peak hours substantially exceeds the modelled. The OTMP is to be periodically reviewed in response to potential future changes in the road network.

TfNSW welcomes further discussions relevant to the preparation of the OTMP and can be contacted directly via [development.sydney@transport.nsw.gov.au](mailto:development.sydney@transport.nsw.gov.au)

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

85. Noting the proposal includes a Child Care Centre, a Green Travel Plan and Travel Access Guide will be required:

Prior to the commencement of first occupation, a Green Travel Plan (GTP) must be submitted to the satisfaction of the Certifier to promote the use of active and sustainable transport modes. The GTP must:

- (a) be prepared by a suitably qualified traffic consultant;
- (b) include objectives and mode share targets (i.e. site and land use specific, measurable and achievable, and timeframes for implementation) to define the direction and purpose of the GTP;
- (c) include specific tools and actions to help achieve the objectives and mode share targets;
- (d) include measures to promote and support the implementation of the GTP;
- (e) identification of a responsible party (or Committee) for the ongoing implementation of the GTP and its initiatives;
- (f) confirmation of extent and nature of, end of trip facilities and bike parking in addition to how they will be promoted to staff;
- (g) consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets;
- (h) Include a Transport Access Guide that provides information to staff about the range of travel modes, access arrangements and supporting facilities that service the site; and
- (i) identification of a communications strategy for conveying Travel Plan information to staff, including for the Travel Access Guide.

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

86. The Car Park and Loading Dock Management Plan to be implemented by the applicant following the issue of the Occupation Certificate.

**Reason:** To comply with the TfNSW requirements.

- 86A. Prior to an Occupation Certificate being issued, a final inspection of the waste storage areas and facilities must be undertaken by a member of Councils Waste Team. This is to ensure compliance with Council's design specifications and that necessary arrangements are in place to commence the domestic waste collection by Council. Written confirmation will be provided by Council upon the development satisfying Council's requirements.**

**Reason:** To ensure that waste management facilities and storage areas in multi-dwelling housing and mixed use developments are compatible with Council's servicing requirements.

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***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

- 86B. 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.

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

- 86C. A right of access and easement for Council to facilitate waste and recycling removal, using terms available from Council, must be registered on the land title with NSW Land Registry Services pursuant to Section 88B of the Conveyancing Act 1919.**

**The easement must entitle Council, its servants and agents and persons authorised by it, to enter upon the subject land and to operate thereon, including vehicles and other equipment, for the purposes of waste and recycling collection.**

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

**Reason:** To ensure appropriate access to waste storage room(s) for removal of waste.

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

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

- 87. 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.

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88. No live music or entertainment shall be provided within the premises.  
**Reason:** To protect the amenity of the surround neighbourhood.
89. 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.
90. 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.
91. There are to be no external speakers at the premises.  
**Reason:** To prevent loss of amenity to the area.
92. The operation of the premises is to comply with the relevant provisions of the Food Act 2003, Food Regulation 2015 and the Australia New Zealand Food Authority Food Standards Code.  
**Reason:** To ensure operation of the premises complies with the relevant legislation and standards.
93. The operation of the premises is not to give rise to emissions of air impurities in contravention of the Protection of the Environment Operations Act 1997. Air emissions from the premises must not cause a nuisance from odours, nor be hazardous to human health or the environment.  
**Reason:** To prevent loss of amenity to the area.
94. **The use of the premises not giving rise to:**  
**(a) transmission of unacceptable vibration to any place of different occupancy,**  
**(b) a sound pressure level at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.**  
**Reason:** To prevent loss of amenity to the area.

***\*As amended under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

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95. 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.
96. Adequate holding facilities shall be constructed for the storage of new and waste oils and other bulk liquids in accordance with AS 1940–2017 'The storage and handling of flammable and combustible liquids' before commencement of use.  
**Reason:** To ensure that waste liquids are correctly contained.
97. 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.
98. 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.
99. 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.
100. Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.  
**Reason:** To minimise noise impact of mechanical equipment.
101. No advertisement/signage shall be erected on or in conjunction with the development without prior consent.  
**Reason:** To comply with legislative controls.
102. No goods are to be stored/displayed outside the walls of the building.  
**Reason:** To ensure visual amenity.

103. The days and hours of operation are restricted to:

Day	Time
Monday	7:00am – 7:00pm
Tuesday	7:00am – 7:00pm
Wednesday	7:00am – 7:00pm
Thursday	7:00am – 7:00pm
Friday	7:00am – 7:00pm
Saturday	Closed.
Sunday	Closed.
Public Holidays	Closed.

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

104. Roller shutters are not to be placed over any external door or window of the premises. Any security grill is to be located on the inside of the glass shop front and must be an open grille able to be seen through.

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

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

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

106. If a roller shutter door is to be provided at the driveway entry and exit from Palmer Street, it is to be opened at all times during the centre's operating hours from 7am to 7pm Monday to Friday.

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

- 106A. 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 Dickens Solutions, dated September 2023, Reference No. 20126.**

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

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***



**106B. 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.**

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

**106C. All waste servicing instructions from Council must be complied with at all times. This includes any directives regarding the presentation of bins to a designated collection point and the maintenance of waste storage areas.**

**Reason: To ensure the safety and effectiveness of ongoing waste collection services.**

***\*As added under DA/240/2021/A pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979***

You are reminded that to comply with the conditions of consent, this modification may require you to obtain a construction certificate or an amended construction certificate.

**Rights of Appeal:**

If you are dissatisfied with this decision, Section 8.9 of the Environmental Planning and Assessment Act 1979 gives you the right to appeal to the Land and Environment Court. Refer to Section 8.10 of the Environmental Planning and Assessment Act 1979 for timeframes prescribed under the Environmental Planning and Assessment Act in which appeals are to be lodged with the Land and Environment Court.

Yours sincerely,



**Eamon Murphy  
Senior Development Assessment Officer**