

The swimming pool water including the backwash overflow water shall be discharged to the sewer. The consent of Sydney Water to dispose of wastewater shall be obtained and compliance with any conditions imposed by Sydney Water.

Condition reason: To comply with the Legislative requirements.

122. Damage to public infrastructure

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.

Condition reason: To protect public safety.

123. Road Occupancy Permit

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.

Condition reason: To ensure proper management of Council assets.

124. Driveway trench at boundary

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.

Condition reason: Stormwater control.

125. Oversized Vehicles

Oversized 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 Oversized 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.

Condition reason: To ensure maintenance of Council's assets.

126. Car parking & driveways

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

Condition reason: To ensure appropriate car parking.

127. **Vehicle egress signs**

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

Condition reason: To ensure pedestrian safety.

128. **Drainage to existing system**

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).

Condition reason: To ensure satisfactory stormwater disposal.

129. **Polluted water excavation – analysis before discharge**

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.

Condition reason: To prevent pollution of waterways.

130. **Nomination of Engineering Works Supervisor**

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.

Condition reason: To ensure Council's assets are appropriately constructed.

131. **Trees with adequate root volume**

All trees/shrubs planted within the site must be of 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.

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

132. **Tree Removal**

Trees to be removed are:

Tree No.	Name	Common Name	Location	Condition	Reason
3	Lophostemon confertus	Brush Box	Within the site	Fair / 14m	Building footprint
4	Ulmus minor	Elm Tree	Within the site	Poor/ 6m	Building footprint
5	Acmena smithii	Lily Pilly	Within the site	Poor / 10m	Building footprint
6	Stenocarpus sinuatus	Fire Wheel Tree	Within the site	Fair / 16m	Building footprint
7	Syzygium luehmannii	Riberry	Within the site	Fair / 7m	Building footprint
8	Syzygium luehmannii	Riberry	Within the site	Fair / 10m	Building footprint
9	Magnolia soulangeana	Chinese Magnolia	Within the site	Fair / 8m	Building footprint
Group 1	Archontophoenix cunninghamiana	Bangalow Palm	Within the site	Good / mixed height 3-20m	Building footprint
Exact No. N/A	Phoenix roebelenii	Dwarf Date Palm	Within the site	Good / mixed height 3-20m	Building footprint
Group 2	Dyopsis lutescens	Golden Cane Palm	Within the site		Exempt
Exact No. N/A	Syagrus romanzoffianum	Cocos Palm	Within the site		Exempt

Condition reason: To facilitate the approved development.

133. No trees are to be removed on public property

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

Condition reason: To protect public trees.

134. Advanced tree planting

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 relevant Occupation Certificate(s).

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

135. **Material storage and trees**

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

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

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

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

136. **Post Construction Arboricultural Certification**

The Project Arborist (AQF Level 5) shall undertake a final tree inspection to certify that the completed works within the TPZ and tree protection measures have been carried out in accordance with the approved plans and specifications for tree protection for the site. Certification shall include a statement on the condition of the retained trees, details of any deviation from the tree protection plan and any impacts this may have upon the retained trees. Copies of the tree protection and monitoring documentation recorded throughout the entire development works, shall form part of the final tree protection report and certification. The report shall be submitted to the written satisfaction of the certifying authority.

Condition reason: To ensure trees/vegetation has been adequately protected.

137. **Removal of trees by an arborist**

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.

Condition reason: To ensure tree works are carried out safely.

138. **Construction Noise**

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.

Condition reason: To protect the amenity of the neighbourhood.

139. **Waste Management**

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that waste is appropriately handled

140. **Asbestos—records of disposal & licensed waste facility**

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.

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.

Condition reason: To ensure appropriate disposal of asbestos materials.

141. **Waste data maintained**

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

Condition reason: To confirm waste minimisation objectives under Parramatta Development Control Plan 2023 are met.

142. Contaminated waste to licensed EPA landfill

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

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

143. Liquid and solid waste

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

Condition reason: To prevent pollution of the environment.

144. Hazardous/intractable waste disposed of in accordance

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.

Condition 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.

145. Cut and fill

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- (a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the principal certifier.
- (b) All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material identified as being subject to a resource recovery exemption by the NSW EPA. The fill material is to be certified as such by a suitably qualified industry professional. Records of each individual certification are to be kept on site and produced for inspection when requested

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.

Condition reason: To ensure soil removed from the site is appropriately disposed of and soil imported to the site is safe for future occupants.

146. Managing Land Contamination

In the event that material is identified at the subject site as contaminated as defined in the Managing Land Contamination Planning Guidelines dated 1998 and prepared by the Department of Urban Affairs and Planning, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. Any soil investigation must be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites, the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007, and the provisions of the *Contaminated Land Management Act 1997* and *Contaminated Land Management Regulation 2013*.

Condition reason: To ensure that the provisions set out in Clause 4.6 of *State Environmental Planning Policy (Resilience and Hazards) 2021* have been met and the use of the land poses no risk to the environment and human health.

147. Aboriginal and European Archaeology

If any European archaeological relics are discovered (or are believed to be discovered) during works, the works must cease and the NSW Office of Environment and Heritage must be notified, in accordance with the *NSW Heritage Act*.

If any Aboriginal archaeological relics are discovered (or are believed to be discovered) during works, the works must cease and the NSW Office of Environment and Heritage must be notified, in accordance with the *NSW National Parks and Wildlife Service Act*.

Condition reason: To ensure that the requirements of the Office of Environment and Heritage are met.

148. Public Domain Works Inspections

Prior to any work the Principal Certifying Authority is to confirm the ground floor slab levels, including finishes, will be flush with the existing and/or proposed public domain as per the approved Public Domain Alignment Drawings;

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

A pre-work site meeting is required with Council's Road Asset Planning Team before start of any works on site to confirm the works as per the approved CC drawing set and to discuss any critical issues that may arise.

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

The required inspections include the followings:

- Commencement of public domain works including tree protection measures installed and set out of tree pits.
- Subgrade inspection following excavation for footings, drainage and pavements, tree pits, structural soil cell, sub-surface drainage and irrigation system as required;
- Installation of required underground conduits
- Formwork inspection for all footpaths and footpath crossings.
- Commencement of the works including survey marks, sub-grade preparation and set out of kerb alignments.
- Completion of concrete blinding layer before any paver to be laid; and set out/location of furniture installation.
- Completion of (raised) planting beds with required sub-drainage layer installed as specified. Procured soil media specifications and docket receipts to be signed at this inspection.
- Completion of unit (granite) paving and furniture (seatings) installation. Manufacturer's warranty and maintenance information for all proprietary products shall be provided to Council's Inspection Officer; and
- Completion of paving sealant application and tactile indicator installation as per Council's specification
- Delivery of street trees to site.
- Installation of street trees including required sub-drainage layer installed as specified. Council's City Arborist and Tree Operations team should be notified 7 days prior to installation to enable inspection at the time of installation.
- Trees shall be installed within 24hrs of delivery; the contractor shall provide Council officers, certification that the trees have been grown in accordance with AS2303:2018 to prove the quality of the tree stock.
- Practical completion - defects inspection following completion of all public domain works to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

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

During construction of all public area civil and drainage works, a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's construction standards. The civil engineer is to provide certification of the above prior to achieving the Occupation Certificate.

Condition reason: To ensure the quality of public domain works complying with Council standards and requirements.

Before issue of an occupation certificate

149. Occupation Certificate

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

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

150. Dedication of Land

Evidence of registration of the land identified under the Land Reservation Acquisition Map under the Parramatta Local Environmental Plan 2023 (and shown as 'Road Widening' on the approved Stratum Subdivision Plan under Condition 1 of this consent) and its dedication to Council at no cost to Council must be completed prior to the issue of any Occupation Certificate.

All works intended to be dedicated to Council, including roads, footpaths, drainage, lighting, furniture, and other landscape treatments shall be designed and constructed to Council's specifications and standards as outlined in this development consent.

Condition reason: To ensure dedication of land to Council in accordance with the *Parramatta Local Environmental Plan 2023*.

151. Registration of Easements

Prior to the issue of the final Occupation Certificate, the following easements must be registered to the title of the relevant allotment(s).

- Easements for public right-of-way for all publicly accessible areas are to be registered to the title of each allotment. Allowance can be made in the terms of the easement for occupation of areas adjacent commercial premises for seating and the like.
- A right of access and easement for Council to facilitate waste and recycling removal for the residential use of the land, 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. The easement shall apply to the relevant lot in the stratum plan.
- An easement for public access to, and use of, the on-site car share spaces must be registered to the title of the relevant allotment.

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.

Condition reason: To ensure all required easements are registered to the title of allotment(s).

152. **Registration of a Swimming Pool/Spa**

Prior to the issue of the relevant Occupation Certificate(s) the swimming pool/spa is to be registered on the NSW state register of swimming pools and spas. To register the swimming pool/spa you are to log onto www.swimmingpoolregister.nsw.gov.au and follow the prompts. A copy of the registration certificate is to be submitted to the Principal Certifier to confirm the registration.

Condition reason: To comply with NSW legislative requirements relating to Swimming pools and Spas.

153. **Broadband access for major developments**

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

Note: For more information contact NBN Co.;
Development Liaison Team:
Call 1800 881 816;
Email: newdevelopments@nbnco.com.au;
Web: www.nbnco.com.au/NewDevelopments

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

154. **Certify mechanical ventilation installation**

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.

Condition reason: To comply with the Building Code of Australia and the relevant Australian Standard.

155. **Fire safety measures - final fire safety certificate**

Prior to the issue of an Occupation Certificate, a final Fire Safety Certificate must be issued as required by Clause 41 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Condition reason: Protection of life and to comply with legislative requirements.

156. **Provisions for swimming pools**

The following conditions shall be complied with:

- (a) Any mechanical equipment associated with the swimming pool and spa shall be located in a sound-proof container and positioned so that noise levels associated with spa/pool pumping units shall not exceed 5 dBA at the boundaries of the site..
- (b) To maintain the visual amenity of the area, devices or structures used for heating swimming pool water must be placed where it is not visible from a public place.
- (c) Lighting from the swimming pool and other communal facilities shall not detrimentally impact the amenity of other premises and adjacent dwellings.

Condition reason: To ensure compliance with the *Swimming Pools Act 1992*, the *Swimming Pools Regulation 2008* and the National Construction Code together with maintaining amenity.

157. Release of Securities/Bonds

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

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

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

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

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

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

158. Repair of Infrastructure

Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Condition reason: To ensure any damage to public infrastructure is rectified.

159. Separate occupation

The occupation of the commercial/retail premises (including the ***neighbourhood supermarket***) must be the subject of further development approval for such use or occupation.

Condition reason: To ensure development consent is obtained prior to that use commencing.

160. **Street Numbering**

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.

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

161. **Mechanical Ventilation Systems**

The applicant shall submit certification to the Principal Certifying Authority from a practicing consulting engineer, that the mechanical ventilation system has been tested and found to comply with the approved plans, specifications and Australian New Zealand Standard AS/NZS 1668.2:2012 The use of ventilation and air-conditioning in buildings, Mechanical ventilation in buildings.

Condition reason: To ensure the required standards are met.

162. **Section 73 Certificate**

A compliance certificate must be obtained from Sydney Water, under Section 73 of the *Sydney Water Act 1994*. Sydney Water's 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.

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

163. **Green Travel Plan**

Prior to the issue of the relevant Occupation Certificate(s), a Green Travel Plan, is to be submitted to the PCA, supported by details of how that Plan will be implemented. The plan is to include:

- (a) Targets to reduce single occupant car trips to the site for the journey to work and business travel based on an initial estimate of the number of trips to the site by mode,
- (b) Measures to achieve the targets including a list of specific tools or actions,
- (c) Monitoring Scheme including annual travel survey to estimate the change in travel behaviour to and from the site and a review of the measures based on the results of the travel survey.

It is recommended that the plan consider an Opal Card with credit and information pack on public transport to be provided to the new residents and information pack on public transport to encourage use of public transport. The Green Travel Plan shall be incorporated into or annexed to the strata management plan for the residential units in perpetuity.

TfNSW Requirements

In addition to the above, the Green Travel Plan is to incorporate the following details required by TfNSW.

- objectives and modes 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.
- specific tools and actions to help achieve the objectives and mode share targets.
- measures to promote and support the implementation of the plan, including financial and human resource requirements, roles and responsibilities for relevant employees involved in the implementation of the GTP.
- quantification and analysis of staff shift times and numbers on the Site and analysis of workforce residential post code data to properly understand public transport and car parking demand and develop effective strategies in response, as well as help to inform service planning considerations.
- consideration of a staff travels survey and workforce data analysis to inform likely staff travel patterns and resultant travel plan strategies to / from the subject site.
- strategies for promoting higher mode share targets for alternate transport use, particularly amongst day shift and administrative staff.
- identification of a responsible party (or Committee) for the ongoing implementation of the GTP and its initiatives.
- confirmation of extent and nature of end of trip facilities and bike parking, including their location, and how they will be promoted to staff.
- Encourages the use of carpooling through the implementation of a carpooling scheme for staff.
- Considers the potential for fleet bikes to be used for travel within the site and its surrounds.
- identification of a communications strategy for conveying GTP information to staff, and visitors, including for the Travel Access Guide.
- consideration of car parking management strategies that may be required to encourage sustainable transport use / mode share targets (such as pricing, prioritisation for those that carpool, use of wait lists, etc);

- a detailed action plan comprising specific tasks needed to complete the proposed actions, the person/s responsible for completion of the task, completion date and anticipated costs.
- an implementation checklist to achieve the proposed initiatives. o alternative actions to undertake where targets are not achieved.
- the set-up of a steering group or committee of relevant internal and external stakeholders to inform future targets and the ongoing monitoring and revision of the GTP for five years; and
- details regarding the methodology and monitoring/review program to measure the effectiveness of the objectives and mode share targets of the GTP, including the frequency of monitoring and the requirement for travel surveys to identify travel behaviours of users of the development.

A copy of the Green Travel Plan is to be submitted to TfNSW at development.ctmp.cjp@transport.nsw.gov.au.

Condition reason: To comply with Parramatta DCP 2023 and TfNSW Requirements.

164. **Completion of Public Utility Services**

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

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

165. **Notification agreement from Energy provider.**

A Notification Agreement outlining the electrical construction requirements and associated fees shall be obtained from an energy provider prior to the release of the subdivision certificate.

Condition reason: To ensure electricity supply is available to all properties.

166. **Trade Waste**

The property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. Sydney Water's approval must be obtained for this permit before any business activities can commence. It is illegal to discharge Trade Wastewater into the Sydney Water sewerage system without permission. The permit application should be emailed to Sydney Water's Business Customer Services at businesscustomers@sydneywater.com.au.

A Boundary Trap is required for all developments that discharge trade wastewater where arrestors and special units are installed for trade wastewater pre-treatment.

Condition reason: To ensure compliance with Sydney Water's requirements and protect the environment.

167. Vehicle Wash Bay–Trade Wastewater Disposal

The vehicle wash bay(s) shall comply with Sydney Water liquid waste on-site pre-treatment requirements. The applicant shall provide a report to Council's Environment and Health unit from a qualified person stating that the wash bay complies with Sydney Water requirements and furnish Council with a copy of the manufacturer's specification and maintenance schedule for the wash bay prior to the issue of the relevant occupation certificate(s).

Condition reason: To prevent contamination of the stormwater drainage system.

168. Car Share Space

Minimum 2 car parking space(s) are to be allocated for car share parking space. Car share parking space(s) shall be publicly accessible at all times, adequately lit and sign posted. Written evidence shall be provided to Council prior to the issue of the relevant occupation certificate(s), demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service. The PCA shall ascertain that an agreement with a commercial operator is subscribed prior to issue of the relevant occupation certificate(s).

If one or more car share provider accepts the applicant's offer of car share space(s), those car share space(s) shall be provided to the preferred operator on the site for as long as the car share operator would like to occupy the space or as otherwise agreed by Council's DTSU Manager.

Condition reason: To comply with Council's Development Control Plan.

169. Reinstatement of laybacks

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 the relevant Occupation Certificate(s). All costs must be borne by the applicant.

Condition reason: To provide satisfactory drainage.

170. Driveway Crossover

Prior to the issue of the relevant Occupation Certificate(s), 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 DTSU Manager 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.

Condition reason: Pedestrian and Vehicle safety.

171. **Exclusion from Parking Permits**

Prior to issue of the relevant Occupation Certificate(s), a Positive Covenant and Restriction on the use of land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner of the residential lot with disqualification from participation in any existing or future City of Parramatta Council on-street resident parking permit scheme. The authority to release must be the City of Parramatta Council.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through 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 car share spaces within the lot.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifier prior to occupation or use of the site.

Note: The covenant is to be submitted to Council for approval prior to lodgement with the Land and Property Information Service of NSW.

Condition reason: To reduce parking demand.

172. **No articles or vehicles stored on public property**

No materials, goods or vehicles associated with the use of the premises are to be stored or displayed on or within the street reserve or other public area.

Condition reason: To ensure the integrity of Council's assets is protected and to ensure unobstructed pedestrian movement in the vicinity of the proposal.

173. Loading and unloading

All loading and unloading must:

- (a) take place within the approved loading dock to minimise disruption of public spaces, and
- (b) is to be carried out wholly within the site

Condition reason: To protect the amenity of the neighbourhood.

174. Registration of SIP facilities on Property Title

The Shelter-in-Place facilities must be registered on the property title before the relevant Occupation Certificate(s) (OC) is issued. Evidence of registration must be submitted to Council.

Condition reason: Protection of SIPs on title in perpetuity.

175. OSD Positive Covenant/Restriction

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.

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

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

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

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

In the event that evidence has been provided to Council's satisfaction, demonstrating that on-site stormwater detention facilities are not required (pursuant to Condition 49 of this consent), the requirements of this condition do not apply.

Condition reason: To ensure maintenance of on-site detention facilities.

176. **Work-as-Executed Plan**

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

- (a) A WAE survey shall be conducted and plans prepared showing the 'as built' of the complete on-site detention system including (but not limited to) discharge point into Council system, storage tank (including all critical elements), all pipes and pits connected to the OSD system, overland flow swale and surface levels that control surface flows to the OSD system and by design bypassing the OSD system.
- (b) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- (c) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- (d) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth versus volume table)
- (e) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- (f) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The certificate must only be provided after conducting a satisfactory final inspection. The final inspection shall include the application of all the ancillary components of the system including but not limited to: step-irons, orifice plate, trash screen with appropriate wall attachment, hinged lockable grates, confined space sign, functioning return lap valve and relief drains within DCP sump etc.
- (g) Certificate of Structural compliance of the OSD tank shall reference the structural elements including floor slab/foundations, walls and cover slab from a qualified structural engineer

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

In the event that documentation is provided to Council's satisfaction demonstrating that on-site stormwater detention facilities are not required (as per Condition 46), the Work-as-Executed plans will not be required to show OSD details (as noted above).

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

177. **Landscape Works required to be Certified**

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.

Condition reason: To ensure restoration of environmental amenity.

178. Submission of Reports

Prior to the issue of the relevant occupation certificate(s) (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. 20240328.1/0904A/R0/PF, dated 09/04/2024, prepared by Acoustic Logic Pty Ltd
- (b) Acoustic Report No. 20240328.2/1804A/R0/PF dated 18/04/2024, prepared by Acoustic Logic Pty Ltd.
- (c) Construction Management Plan for DA Submission – Roberts Co – April 2024

Condition reason: To demonstrate compliance with submitted reports.

179. Final Inspection of Waste Storage Areas

Prior to the relevant Occupation Certificate(s) being issued, a final inspection of the waste storage areas and facilities must be undertaken by a member of Council's 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.

Condition 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.

180. Details of commercial contract for collection

Prior to issue of the relevant occupation certificate(s), 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.

Condition reason: To comply with the requirements of the *Protection of the Environment Operations Act 1997* and Regulations.

181. Removal of waste upon completion

Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

182. Ventilation - waste storage rooms

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.

Condition reason: To ensure compliance with BCA requirements.

183. Post Construction Private Property Dilapidation

Before the issue of the relevant occupation certificate(s), a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the principal certifier, detailing whether:

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

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

Condition reason: To identify damage to adjoining properties resulting from building work on the development site.

184. Final document including details of fabrication and installation of Public Art

Final documentation including details of fabrication and installation of the work including a maintenance schedule must be submitted and approved by Council's DTSU Manager and Artwork completed in full and installed to the satisfaction of Council prior to the issue of the relevant Occupation Certificate(s).

Condition reason: To comply with development control plan requirements.

185. Adaptable dwellings Multi-unit and RFB's modification

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

Condition reason: To ensure the requirements of DCP 2023 have been met.

186. Revised Plan of Management

Prior to the issue of the relevant residential occupation certificate(s), the approved Plan of Management shall be updated to include provisions requiring the operator to make units fully accessible (upon request) in accordance with the relevant Australian Standards and Building Code of Australia, at no cost to the tenant.

Condition reason: To ensure units are made accessible when required.

187. Liveable Housing

Confirmation that 91 units comply with the Liveable Housing Guidelines Silver Level design feature is to be prepared by a suitably qualified consultant and submitted to Council prior to the issue of the relevant Occupation Certificate(s).

Condition reason: To ensure that the development provides accessible dwelling options for future occupants.

188. SEPP Housing verification statement OC stage

Design Verification issued by a registered architect is to be provided with the application for the relevant Occupation Certificate(s), verifying that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in the *State Environmental Planning Policy (Housing) 2021*.

Note: Qualified designer in this condition is as per the definition in SEPP Housing 2021.

Condition reason: To comply with the requirements of SEPP Housing 2021.

189. Shopfront appearance

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.

Condition reason: To provide an appropriate streetscape appearance.

190. Public Domain Occupation Certificate Requirements

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

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

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

A 52 week defects period will commence with issue of an Occupation Certificate. Further signoff of defects will again be needed prior to final handover.

The Certificate of Completion shall not be issued until Council's final approval is obtained. The **Work-as-Executed Plans** shall be prepared and submitted to Council showing the final-approved public domain works after the final approval, and prior to any issue of the OC. The WAE drawings shall be submitted to Council as both CAD and PDF drawings. A **landscape maintenance schedule** prepared by a qualified Landscape Architect shall be submitted to Council specifying the required plant establishment to be provided by the applicant following OC.

Maintenance of plant material to commence following OC for plant establishment period of –

- 52 weeks plant establishment & maintenance period for street trees
 - A two-year (104 weeks) plant establishment and maintenance period for any public domain works that include WSUD devices, including bio-retention tree pit, rain garden, swale etc; and
 - A 5-year plant establishment and maintenance period for all soft works for any park area
- Important – If any trees have been replaced (due to death or damage of the previous tree) within 3 months of the handover, the maintenance period for those trees will be extended to suit the above time requirements.**

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

191. Delivery of NABERS ratings requirements

The design and documented requirements to deliver the NABERS Energy rating and requirements of the NABERS Energy Commitment Agreement are to be completed prior to occupation.

Condition reason: To comply with legislative requirements and ensure compliance with NABERS agreement.

192. Occupation Certificate Design Integrity Review

Prior to issue of any Occupation Certificate(s), the applicant is to submit for approval by Council's DTSU Manager, a Design Excellence Integrity Report, with photos of the building and relevant certification that the building has been built in accordance with the requirements of the design competition winning scheme, specifically addressing any key elements required by the Jury.

Council's DTSU Manager will consider the advice of the Design Excellence Jury and/or Council's Design Excellence Team, and Council's ESD consultant, as part of their assessment.

If considered necessary, access must be provided to the building(s).

Where matters are identified which are not satisfactory, resolution shall be required prior to the issue of the Occupation Certificate.

Condition reason: To ensure the proposal achieves design excellence.

193. Subdivision Certificate

A separate application must be made for a subdivision certificate. The following information shall be submitted:

- (a) Evidence that all relevant conditions of this development consent have been satisfied;
 - (b) Evidence of payment of all relevant fees;
 - (c) Stratum Subdivision Plans, Section 88B Instrument and Deposited Plan Administration Sheet, all generally in accordance with the final draft plans and documents, except as otherwise required to be amended via other conditions of this consent. These documents shall include full details of easements, instruments, covenants and the like necessary to create new titles and are to be certified by a Registered Surveyor;
 - (d) A Building Management Statement. The Building Management Statement must set out how shared facilities are accessed, maintained and funded and must adequately address the ongoing maintenance, and structural adequacy of each stratum lot to Council's satisfaction;
 - (e) All relevant surveyors or engineers' certification if required by the development consent.
- A set of title documents shall be compiled including Stratum Plans of Subdivisions and all Instruments on Title. This set of title documents shall be in a form acceptable to Council as meeting standards for release of the Subdivision Certificate and for registration with NSW Land Registry Services. Two sets of Deposited Plans shall be provided, one showing architectural shadows/outlines superimposed on the DP title set out and the other set clearly showing survey stratum subdivision boundaries and other title markings/annotations without the architectural layer.

Condition reason: To comply with the requirements of the Environmental Planning and Assessment Act 1979 (as amended).

Occupation and ongoing use

194. Graffiti Management

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.

Condition reason: To ensure the removal of graffiti.

195. Annual fire safety certificate

During occupation and ongoing use of the building, the applicant must provide an annual fire safety statement to Council and the Commissioner of Fire and Rescue NSW in accordance with clause 88 of the *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Condition reason: To ensure annual checks on fire safety measures

196. Agreement for outdoor furniture

Prior to the placement of the tables, chairs, and safety barriers on Council's footpath, a licence agreement between the proprietors of the business and Council must be entered into.

Please contact Parramatta City Council's Property Management Officer, Council on 9806 5000.

Condition reason: To ensure requirements are adhered to, and there is an agreement for operations on Council's footpath.

197. Dangerous goods storage

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*;
- (c) Model code of Practice: Managing risks of Hazardous Chemicals in the workplace.

Condition reason: To ensure that the dangerous goods are correctly contained.

198. Fire safety measures

All new and existing fire safety measures identified in the Fire Safety Schedule shall be maintained in working condition at all times.

Condition reason: Protection of life and to comply with legislative requirements.

199. Trade Waste

Trade wastewater shall be disposed of in accordance with the permit requirements of Sydney Water Corporation Ltd, Wastewater Source Control Branch.

Condition reason: To ensure compliance with Sydney Water's requirements and protect the environment.

200. Roller shutter door intercom is installed

If a roller shutter door or other control point is to be provided at the driveway entry and exit from Phillip Street, it is to be opened at all times during commercial operating hours and during any time when deliveries are expected/scheduled as nominated by the loading dock management plan.

Condition reason: To comply with Council requirements.

201. Deliveries to the premises shall take place

All commercial deliveries must take place between the hours of 7am and 10pm. No deliveries are to take place on weekends and public holidays.

Condition reason: To protect the amenity of the neighbourhood.

202. Green Travel Plan - Ongoing Use

The facilities provided and the uses on site are to be operated at all times in accordance with the recommendations of the approved Green Travel Plan.

The Green Travel Plan, required by these conditions, shall be displayed throughout the residential and commercial areas of the site at all times.

Condition reason: To ensure implementation of the Green Travel Plan.

203. Review report of Green Travel Plan

One year from the issue of the Occupation Certificate, and every year for 2 years thereafter, the applicant shall submit to the satisfaction of Council's Manager Development & Traffic Services a review report on the effectiveness of the Green Travel Plan. The reviews shall include surveys of modal share and vehicle trip generation for the various land uses within the development during peak and off-peak periods. The review shall also include any recommendations for improving the effectiveness of the plan. Any recommendations made to improve the effectiveness of the plan shall be incorporated into an updated Green Travel Plan.

Condition reason: To ensure the effective management of the Green Travel Plan.

204. No queuing vehicles outside the site

The site manager is to ensure delivery vehicles arriving to the site can be accommodated within the site. Delivery vehicles are not to wait outside the site.

Condition reason: To ensure maintenance of traffic flow along the road.

205. Exit in a forward direction

All vehicles are to enter and exit the site in a forward direction onto Phillip Street and are to be wholly contained on site before being required to stop. Reversing from the access driveway is to be prohibited for safety reasons.

Condition reason: To ensure all road users safety.

206. Maintenance of wastewater & stormwater treatment device

During occupation and ongoing use of the building, the applicant must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective and in accordance with any positive covenant (if applicable).

Condition reason: To protect sewerage and stormwater systems.

207. **Storage of Goods Below Flood Planning Level**

Any storage of goods below the Flood Planning Level for the three retail tenancies fronting George Street is not permitted.

Condition reason: To ensure compliance with Council's DCP.

208. **Landscape Maintenance**

All landscape works (including any street tree and turf planting in the street verge / nature strip/ road reserve) shall be maintained and watered for a minimum period of one (1) year following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions.

Condition reason: To ensure restoration of environmental amenity.

209. **Use of pool pump**

The swimming pool pump must not be operated between the hours of 8.00p.m. and 7.00a.m. Monday to Friday and 8.00p.m. to 8.00a.m. Saturdays, Sundays and Public Holidays.

Condition reason: To protect the amenity of surrounding properties.

210. **Air Conditioners in Residential Buildings**

The air conditioner/s must not:

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

Condition reason: To prevent loss of amenity to the area.

211. **Noise from mechanical equipment**

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*.

Condition reason: To protect the amenity of the area.

212. Use is not to cause offensive noise or vibration

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*.

Condition reason: To prevent loss of amenity to the area

213. Compliance with Servicing Requirements

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.

Condition reason: To ensure the safety and effectiveness of ongoing waste collection services.

214. Management of waste storage facilities

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

Condition reason: To ensure the ongoing management of waste storage areas.

215. Ongoing Management of Wastes (general)

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.

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

In the event that the occupation and use of the residential component of the building occurs prior to the introduction of Council's Medium Rigid Vehicle (MRV) waste collection fleet, the operator is to enter into a private waste contract until such time as Council can adequately service the development.

Condition reason: To ensure that waste does not accumulate onsite.

216. **Signage in Shared Waste Areas**

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

Condition reason: To encourage proper waste and recycling practices onsite.

217. **Storage of bins between collection periods**

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.

Condition reason: To ensure waste is adequately stored within the premises.

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

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.

Condition reason: To prevent loss of amenity to the area.

219. **Delivery of NABERS ratings requirements**

The following information is to be provided to the consent authority using the NSW planning portal within 24 months from the issue of the residential occupation certificate:

- (a) NABERS Water certificate and rating report for the office portion of the development
- (b) NABERS Energy certificate and rating report for the office portion of the development

Condition reason: To comply with the High Performing Building Requirement of the Parramatta LEP and clause with legislative requirements of Clause 79A of the Environmental Planning & Assessment Regulation 2021.

General Advisory Notes

This consent contains the conditions imposed by the consent authority which are to be complied with when carrying out the approved development. However, this consent is not an exhaustive list of all obligations which may relate to the carrying out of the development under the EP&A Act, EP&A Regulation and other legislation. Some of these additional obligations are set out in the [Conditions of development consent: advisory notes](#). The consent should be read together with the *Conditions of development consent: advisory notes* to ensure the development is carried out lawfully.

The approved development must be carried out in accordance with the conditions of this consent. It is an offence under the EP&A Act to carry out development that is not in accordance with this consent.

Building work or subdivision work must not be carried out until a construction certificate or subdivision works certificate, respectively, has been issued and a principal certifier has been appointed.

A document referred to in this consent is taken to be a reference to the version of that document which applies at the date the consent is issued, unless otherwise stated in the conditions of this consent.

Dictionary

The following terms have the following meanings for the purpose of this determination (except where the context clearly indicates otherwise):

Approved plans and documents means the plans and documents endorsed by the consent authority, a copy of which is included in this notice of determination.

AS means Australian Standard published by Standards Australia International Limited and means the current standard which applies at the time the consent is issued.

Building work means any physical activity involved in the erection of a building.

Certifier means a council or a person that is registered to carry out certification work under the *Building and Development Certifiers Act 2018*.

Construction certificate means a certificate to the effect that building work completed in accordance with specified plans and specifications or standards will comply with the requirements of the EP&A Regulation and *Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021*.

Council means CITY OF PARRAMATTA COUNCIL.

Court means the Land and Environment Court of NSW.

EPA means the NSW Environment Protection Authority.

EP&A Act means the *Environmental Planning and Assessment Act 1979*.

EP&A Regulation means the *Environmental Planning and Assessment Regulation 2021*.

Independent Planning Commission means Independent Planning Commission of New South Wales constituted by section 2.7 of the EP&A Act.

Local planning panel means Parramatta Local Planning Panel

Occupation certificate means a certificate that authorises the occupation and use of a new building or a change of building use for an existing building in accordance with this consent.

Principal certifier means the certifier appointed as the principal certifier for building work or subdivision work under section 6.6(1) or 6.12(1) of the EP&A Act respectively.

Site work means any work that is physically carried out on the land to which the development the subject of this development consent is to be carried out, including but not limited to building work, subdivision work, demolition work, clearing of vegetation or remediation work.

Stormwater drainage system means all works and facilities relating to:

- the collection of stormwater,
- the reuse of stormwater,
- the detention of stormwater,
- the controlled release of stormwater, and
- connections to easements and public stormwater systems.

Strata certificate means a certificate in the approved form issued under Part 4 of the *Strata Schemes Development Act 2015* that authorises the registration of a strata plan, strata plan of subdivision or notice of conversion.

Sydney district or regional planning panel means Sydney Central City Planning Panel.