

Karimbla Properties (No. 59) Pty Limited
C/- Meriton Property Services
Property Management
Level 11, 528 Kent Street
SYDNEY NSW 2000

9 July 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/1/2022/A
NSW PAN Reference No:	PAN-407051
Property Address:	Lot 2 DP 1205413 37-41 Oxford Street, EPPING NSW 2121
Modification sought:	Section 4.56 modification to Court approved 30-storey mixed use building; specifically, the reconfiguration of centre-based childcare facility; addition of ground floor retail tenancy; and revised residential unit mix, residential and commercial layouts, basement layout, landscaping, loading dock and façade design.
Determination Status:	APPROVED
Determination Date:	9 July 2024
Consent to operate from:	13 July 2023
Consent to lapse on:	13 July 2028

(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**.

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:

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)

Approved Plans and Supporting Documentation

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 (Scott Carver Project No. 20200100)

Plan No.	Issue	Plan Title	Dated
AD-DA000	24	COVER PAGE	03/06/2024
AD-DA095	20	BASEMENT 5 PLAN	06/12/2023
AD-DA096	20	BASEMENT 4 PLAN	06/12/2023
AD-DA097	20	BASEMENT 3 PLAN	06/12/2023
AD-DA098	21	BASEMENT 2 PLAN	03/06/2024
AD-DA099	21	BASEMENT 1 PLAN	03/06/2024
AD-DA100	22	GROUND FLOOR PLAN	03/06/2024
AD-DA101	21	FLOOR PLAN LEVEL 1	03/06/2024
AD-DA102	21	FLOOR PLAN LEVEL 2	03/06/2024
AD-DA103	23	FLOOR PLAN LEVEL 3-6 (TYPICAL)	19/03/2024
AD-DA107	22	FLOOR PLAN LEVEL 7	19/03/2024
AD-DA108	22	FLOOR PLAN LEVEL 8-10 (TYPICAL)	19/03/2024
AD-DA111	6	FLOOR PLAN LEVEL 11-15 (TYPICAL)	19/03/2024
AD-DA116	7	FLOOR PLAN LEVEL 16-19 (TYPICAL)	19/03/2024
AD-DA120	22	FLOOR PLAN LEVEL 20	19/03/2024
AD-DA121	21	FLOOR PLAN LEVEL 21-24	21/12/2023
AD-DA125	22	FLOOR PLAN LEVEL 25	19/03/2024

Plan No.	Issue	Plan Title	Dated
AD-DA126	21	FLOOR PLAN LEVEL 26	21/12/2023
AD-DA127	21	FLOOR PLAN LEVEL 27	21/12/2023
AD-DA128	21	FLOOR PLAN LEVEL 28	21/12/2023
AD-DA129	22	FLOOR PLAN LEVEL 29	19/03/2024
AD-DA130	20	FLOOR PLAN ROOF	06/12/2023
AD-DA201	21	NORTH ELEVATION	19/03/2024
AD-DA202	22	EAST ELEVATION	03/06/2024
AD-DA203	22	WEST ELEVATION	19/03/2024
AD-DA204	21	SOUTH ELEVATION	19/03/2024
AD-DA251	21	SECTION 1 & 2	30/05/2024
AD-DA252	21	SECTION 3 & 4	30/05/2024
AD-DA253	21	SECTION 5	30/05/2024
AD-DA261	17	WALL SECTION – PODIUM	19/04/2023
AD-DA262	15	WALL SECTION – TOWER	11/11/22
AD-DA270	17	FAÇADE PODIUM SECTION	19/04/2023
AD-DA271	15	FAÇADE TOWER SECTION	11/11/22
AD-DA400	19	ADAPTABLE UNITS SHEET 1	06/12/2023
AD-DA401	19	ADAPTABLE UNITS SHEET 2	06/12/2023
AD-DA402	19	ADAPTABLE UNITS SHEET 3	06/12/2023
AD-DA410	19	LIVEABLE (SILVER) UNITS SHEET 1	06/12/2023
AD-	18	ADG STORAGE COMPLIANCE	06/12/2023

Plan No.	Issue	Plan Title	Dated
DA490			
AD-DA900	16	ARTIST IMPRESSION SHEET 1	12/04/2023
AD-DA901	16	ARTIST IMPRESSION SHEET 2	12/04/2023
AD-DA902	01	ARTIST IMPRESSION SHEET 3	19/03/2024
AD-DA950	18	GROUND FLOOR PLAN – WINDOWS	21/12/2023
AD-DA951	20	FLOOR PLAN LEVEL 1 – WINDOWS	22/05/2024
AD-DA952	18	FLOOR PLAN LEVEL 2 – WINDOWS	21/12/2023
AD-DA953	20	FLOOR PLAN LEVEL 3-6 (TYPICAL) – WINDOWS	19/03/2024
AD-DA957	19	FLOOR PLAN LEVEL 7 – WINDOWS	19/03/2024
AD-DA958	19	FLOOR PLAN LEVEL 8-10 (TYPICAL) – WINDOWS	19/03/2024
AD-DA961	4	FLOOR PLAN LEVEL 11-15 (TYPICAL) - WINDOWS	19/03/2024
AD-DA966	3	FLOOR PLAN LEVEL 16-19 (TYPICAL) – WINDOWS	19/03/2024
AD-DA970	19	FLOOR PLAN LEVEL 20 – WINDOWS	19/03/2024
AD-DA971	18	FLOOR PLAN LEVEL 21-24 – WINDOWS	21/12/2023
AD-DA975	19	FLOOR PLAN LEVEL 25 – WINDOWS	19/03/2024
AD-DA976	18	FLOOR PLAN LEVEL 26 – WINDOWS	21/12/2023
AD-DA977	18	FLOOR PLAN LEVEL 27 – WINDOWS	21/12/2023
AD-DA978	18	FLOOR PLAN LEVEL 28 – WINDOWS	21/12/2023
AD-DA979	19	FLOOR PLAN LEVEL 29 – WINDOWS	19/03/2024
AD-DA990	19	WINDOW TYPE SCHEDULE	19/03/2024
AD-DA991	21	WINDOW SIZE SCHEDULE – SHEET 1	03/06/2024

Plan No.	Issue	Plan Title	Dated
AD-DA992	20	WINDOW SIZE SCHEDULE – SHEET 2	19/03/2024
AD-DA993	4	WINDOW SIZE SCHEDULE – SHEET 3	19/03/2024
AD-DA994	3	WINDOW SIZE SCHEDULE – SHEET 4	19/03/2024
AD-DA995	3	WINDOW SIZE SCHEDULE – SHEET 5	19/03/2024

Stormwater Drawings (D.T Civil Project No. 0185-21-MT)

Plan No.	Issue	Plan Title	Dated
SW1.01	H	TITLE SHEET	16/03/23
SW1.02	H	NOTES AND SPECIFICATIONS	16/03/23
SW1.03	H	BASEMENT LEVEL 5 DRAINAGE PLANS	16/03/23
SW1.04	H	BASEMENT LEVEL 4 DRAINAGE PLANS	16/03/23
SW1.05	H	BASEMENT LEVEL 3 DRAINAGE PLANS	16/03/23
SW1.06	H	BASEMENT LEVEL 2 DRAINAGE PLANS	16/03/23
SW1.07	H	BASEMENT LEVEL 1 DRAINAGE PLANS	16/03/23
SW1.08	H	GROUND FLOOR DRAINAGE PLANS	16/03/23
SW1.09	H	DRAINAGE EASEMENT PLAN	16/03/23
SW1.10	H	BASEMENT DRAINAGE DETAILS	16/03/23
SW1.11	H	OSD & WSUD CHAMBER DETAILS	16/03/23
SW1.12	H	STORMWATER DRAINAGE DETAILS	16/03/23
SW1.13	H	OSD & WSUD CALCULATION SHEETS	16/03/23
SW1.14	H	EROSION & SEDIMENT CONTROL PLAN	16/03/23
SW1.15	H	EROSION & SEDIMENT CONTROL DETAILS	16/03/23

Groundwater Treatment Drawing (Goldfish & Bay)

Plan No.	Issue	Plan Title	Dated
SKH-001	5	GROUNDWATER RE-USE CONCEPT	March 2023

Landscape Drawings (Meriton)

Plan No.	Issue	Plan Title	Dated
L000	G	COVER SHEET	20/12/2023
L100	F	TREE MANAGEMENT PLAN	20/12/2023
L200	G	GROUND LEVEL LANDSCAPE PLAN	20/12/2023
L201	G	GROUND LEVEL LANDSCAPE PLAN	20/12/2023
L202	F	GROUND LEVEL LANDSCAPE PLAN	20/12/2023
L203	E	GROUND LEVEL LANDSCAPE PLAN	07/10/22
L204	F	GROUND LEVEL LANDSCAPE PLAN	20/12/2023
L205	B	LEVEL 1 LANDSCAPE PLAN	20/12/2023
L210	E	GROUND LEVEL LANDSCAPE PLAN	20/12/2023

Public Domain and Civil Drawings (D.T Civil Project No. 0185-21-MT)

Plan No.	Issue	Plan Title	Dated
C1.01	A	TITLE SHEET	22/10/21
C1.02	A	NOTES AND SPECIFICATIONS	22/10/21
C1.03	A	PUBLIC DOMAIN WORKS	22/10/21
C1.04	A	BOUNDARY/FOOTPATH LEVELS	22/10/21
C1.05	A	DRIVEWAY PLAN & LONGITUDINAL SECTION	22/10/21
C1.06	A	COUNCIL STANDARD DETAILS	22/10/21

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Statement of Environmental Effects	P0034754		Urbis	21/11/21
Supplementary Statement of Environmental Effects	M220308	N/A	Planning Ingenuity	09/12/22
Urban Design Report	22-042	D	Dickson Rothschild	25/11/22
Traffic Analysis: High Rise	N/A	N/A	KONE	23/11/22
Traffic Analysis: Low Rise	N/A	N/A	KONE	23/11/22
Noise Impact Assessment	20211296.1	3	Acoustic Logic	06/10/22
Environmental Glare and Reflectivity Assessment	610.30284-R01	4	SLR	23/11/22
Natural Ventilation Assessment	610.30879.00000-R01	1.1	SLR	25/11/22

Natural Ventilation Assessment Supplementary Report	610.30879-L01-v1.0-20230417		SLR	17/04/2023
Environmental Wind Tunnel Study	610.30284-R03	1.2	SLR	25/11/22
Base Building DA 2 Report	N/A	3	MGAC	22/11/22
Arboricultural Impact Assessment Report	N/A	N/A	Jackson Nature Works	24/11/22
Construction Management Plan for Staged Occupation	N/A	N/A	Karimbla	24/11/22
Construction Management Plan	N/A	N/A	Karimbla	24/11/22
Green Travel Plan	21111	V02	The Transport Planning Partnership	18/11/22
Transport Impact Assessment	21111	V06	The Transport Planning Partnership	18/11/22
Landscape DA Report	N/A	N/A	Meriton	6/04/2023
Geotechnical Investigation	342095rpt4	N/A	JK Geotechnics	04/11/22
Detailed Site Investigation	200607.01	1	Douglas Partners	26/07/22
Groundwater Modelling	34290Yrot5	N/A	JK Geotechnics	07/11/22
Letter: Water Management Systems for Ground Water	N/A	N/A	Waterflow Control P/L	17/04/2023
Waste Management Plan	MRA21-012	2	MRA	17/11/22
Public Art Strategy	J10466	1	The Blueprint	22/06/22
BCA Compliance Report for Consent Authority Submission	2332	B	J2 BCA Consulting	08/11/21
Commitment Letter			Meriton	17/04/2023
BASIX Certificate No. 1327819M_15, and Nationwide House Energy Rating Scheme – Class 2 Summary Certificate No. # HR-2PPNI1-01		-	Efficient Living Pty LTd	07/06/2024

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. ***In the event of any inconsistency between the architectural drawings and the landscape drawings, the architectural drawings prevail.***

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

Note. Updated under DA/1/2022/A.

Construction Certificate

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.

Long Service Levy

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

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

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

Payment of Security Deposits

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

Bond Type	Amount
Hoarding: \$3,015 per street frontage in current financial year (Class "A").	\$3,015.00
Street Furniture: \$2,294.72 per item in current financial year.	\$0
Nature Strip and Roadway: \$25,750.00	\$25,750.00
Street Trees: \$2,294.72 per street tree in current financial year.	\$2,294.72

The payments will be used for the cost of:

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

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

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

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

Should a bank guarantee be lodged it must:

- Have no expiry date;
- Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/1/2022.
- Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items, it must be itemised.

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

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

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

Reason: To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner so as not to cause any disruption or possible accidents to the public.

No encroachment on Council and/or Adjoining Property

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

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

Communal Open Space

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

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to issue of the relevant Construction Certificates and again prior to issue of the relevant Occupation Certificates.

Reason: To improve accessibility.

Child Care Centre

7. Notwithstanding the drawings hereby approved, this consent does not include use or fit-out of the child care centre. No approval is provided for the capacity of the child care centre. Separate development consent is required for the use and fit-out of the child care centre.

Reason: To clarify the consent's scope.

Stratum Subdivision

8. This consent confers no approval for stratum subdivision. Separate development consent is required for stratum subdivision.

Reason: To clarify the consent's scope.

Paint

9. The external paint finish of the relevant building elements, listed as P1 – P4 on the architectural drawings hereby approved, is to be Armawall Satin in a 3-coat system, consisting of 1 coat of primer and 2 topcoats, unless other approved by Council's DTSU Manager in writing. Details demonstrating compliance are to be submitted to the Certifying Authority prior to application of any external paint finish.

Reason: To ensure a high-quality finish.

Deletion of Commercial Balconies

- 9A. ***Notwithstanding the approved drawings in Condition 1, the balconies serving commercial Units 2, 3 and 5 on Level 1 are to be deleted and replaced with internal commercial net lettable area. Amended plans are to be provided to the satisfaction of Council's Manager Development and Traffic Services prior to the issue of the relevant Construction Certificate.***

Reason: To maximise the commercial net lettable area.

Note. Included under DA/1/2022/A.

Protection of Existing Tree

- 9B. ***The footpath adjacent tree labelled T13 on the Landscape Plans is to be designed in consultation with an appropriately qualified arborist so as to not unacceptable impact the viability of the tree. Details demonstrating compliance must be submitted to and approved by Council's Manager Development and Traffic Services prior to the issue of the relevant Construction Certificate.***

Reason: To protect the existing tree.

Note. Included under DA/1/2022/A.

Relocate Accessible Parking Spaces

- 9C. ***The accessible parking spaces located in the north-western corner of Basement Levels 5-2 are to be relocated closer to the lifts for ease of access or provided with a shared area. Plans are to be provided to the satisfaction of the PCA.***

Reason: To comply with AS-2890.6 2009.

Note. Included under DA/1/2022/A.

Ausgrid

Public Utility Relocation

10. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work, and as required by the various public utility authorities and/or their agents.

Reason: To ensure the applicant bears all reasonable costs for the development.

Method of Electricity Connection

11. The method of connection will be in line with Ausgrid's Electrical Standard (ES)1 – 'Premises Connection Requirements'.

Reason: To satisfy energy provider requirements.

Supply of Electricity

12. It is recommended for the nominated electrical consultant/contractor to provide a preliminary enquiry to Ausgrid to obtain advice for the connection of the proposed development to the adjacent electricity network infrastructure. An assessment will be carried out based on the enquiry which may include whether or not:

The existing network can support the expected electrical load of development

A substation may be required on-site, either a pad mount kiosk or chamber style and;

Site conditions or other issues that may impact on the method of supply.

Please see Ausgrid's website, www.ausgrid.com.au about how to connect to Ausgrid's network.

Reason: To satisfy energy provider requirements.

Conduit Installation

13. The need for additional electricity conduits in the footway adjacent to the development will be assessed and documented in Ausgrid's Design Information, used to prepare the connection project design.

Reason: To satisfy energy provider requirements.

Underground Cables

14. There are existing underground electricity network assets in Oxford Street. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence, it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Safework Australia – Excavation Code of Practice, and Ausgrid's Network Standard NS156 outlines the minimum requirements for working around Ausgrid's underground cables.

Reason: To satisfy energy provider requirements.

Substation

15. The substation ventilation openings, including substation duct openings and louvered panels, must be separated from building air intake and exhaust openings, natural ventilation openings and boundaries of adjacent allotments, by separation distances which meet the requirements of all relevant authorities, building regulations, BCA and Australian Standards including AS 1668.2: The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings.

In addition to above, Ausgrid requires the substation ventilation openings, including duct openings and louvered panels, to be separated from building

ventilation system air intake and exhaust openings, including those on buildings on adjacent allotments, by not less than 6 metres.

Any portion of a building other than a BCA class 10a structure constructed from non combustible materials, which is not sheltered by a non-ignitable blast-resisting barrier and is within 3 metres in any direction from the housing of a kiosk substation, is required to have a Fire Resistance Level (FRL) of not less than 120/120/120.

Openable or fixed windows or glass blockwork or similar, irrespective of their fire rating, are not permitted within 3 metres in any direction from the housing of a kiosk substation, unless they are sheltered by a nonignitable blast resisting barrier.

The development must comply with both the Reference Levels and the precautionary requirements of the ICNIRP Guidelines for Limiting Exposure to Time-varying Electric and Magnetic Fields (1 HZ – 100 kHz) (ICNIRP 2010).

For further details on fire segregation requirements refer to Ausgrid's Network Standard 141.

Existing Ausgrid easements, leases and/or right of ways must be maintained at all times to ensure 24 hour access. No temporary or permanent alterations to this property tenure can occur without written approval from Ausgrid.

For further details refer to Ausgrid's Network Standard 143.

Reason: To satisfy energy provider requirements.

Traffic

Car Parking Allocation

16. The building hereby approved shall have a maximum of **299** car parking spaces and comply with the following car parking requirements:
 - (i) A maximum of **234** residential occupant car parking spaces.
 - (ii) A minimum of **30** residential visitor car parking spaces.
 - (iii) A maximum of **3** retail car parking spaces.
 - (iv) A maximum of **16** commercial office car parking spaces
 - (v) A minimum of **15** child care car parking spaces.
 - (vi) A maximum of 1 car share space.

Details demonstrating compliance are to be submitted to and approved by the Principal Certifying Authority prior to issue of the relevant Construction Certificate.

Reason: To minimise traffic impacts from the development and maximise public transport patronage and encourage walking and cycling.

Trees and Landscaping

Tree Retention

17. The following trees as numbered in the Arboricultural Impact Assessment Report prepared by Jacksons Nature Works dated 24 November 2022, are to be retained and sufficiently protected during site works:

Tree No.	Botanical Name	Common Name	TPZ Radius from the trunk
1	<i>Waterhousea floribunda</i>	Weeping Lilly Pilly	3.6m
12	<i>Xylosma senticosum</i>	Xylosma	2.4 metres
13	<i>Syzygium paniculata</i>	Magenta Cherry	6 metres
14	<i>Xylosma senticosum</i>	Xylosma	3 metres
15	<i>Xylosma senticosum</i>	Xylosma	3 metres
16	<i>Syzygium sp</i>	Lilly Pilly	2 metres
17	<i>Eucalyptus saligna</i>	Sydney Blue Gum	12 metres
18-23	<i>Syzygium sp</i>	Lilly Pilly	2 metres
24	<i>Syzygium sp</i>	Lilly Pilly	2.4 metres
25	<i>Jacaranda mimosifolia</i>	Jacaranda	4 metres
26-28	<i>Syzygium sp</i>	Lilly Pilly	1.8 metres
29	<i>Magnolia grandiflora</i>	Southern Magnolia	4 metres

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

- 17A. All proposed vegetation underneath overhead power lines and above underground cables must comply with the requirements of ISSC 3 Guidelines For Managing Vegetation Near Power Lines.

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.)

Planning

18. [SPARE]

Payment of s7.11 Contributions

19. A monetary contribution comprising \$3,343,466.34 is payable to City of Parramatta Council in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979 and City of Parramatta (Outside Parramatta) CBD Contributions Plan 2021. Payment must be by EFTPOS, bank cheque or credit card only.

Contribution Type	Amount
Outside CBD Space & Outdoor Recreation	\$2,322,038.87
Outside CBD Indoor Sports Courts	\$232,996.56
Outside CBD Open Community Facilities	\$306,440.68
Outside CBD Aquatic facilities	\$71,418.42
Outside CBD Traffic and Transport	\$390,277.12
Outside CBD Plan Administration	\$20,294.70
Total	\$3,343,466.34

The above 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 issues by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

[City of Parramatta \(Outside Parramatta\) CBD Contributions Plan 2021 can be viewed on Council's website at: Development Contributions and Planning Agreements | City of Parramatta \(nsw.gov.au\)](#)

Note: The total contribution amount mentioned above is subject to indexation in accordance with Section 2.2 of the City of Parramatta (Outside Parramatta) CBD Contributions Plan 2021. Consequently, contributions payable will be calculated by applying indexation from the date of the original consent. The Council acknowledges that a development contribution payment of \$3,326,227.80 was made on 11/04/2024 in relation to the original Development Consent. Therefore, a credit of \$3,326,227.80 will be applied at the time of the final contribution payment. For further inquiries, please contact the Council's Infrastructure Planning Team at 9806 5050.

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

Note. Updated under DA/1/2022/A.

20. [SPARE]

21. [SPARE]

No External Service Ducts

22. Service ducts, plumbing installations and plant servicing the development (excluding roof-top plant) must be concealed within the building to keep external walls free from service installations. Details are to be included within the plans and documentation accompanying the relevant Construction Certificates to the satisfaction of the Certifying Authority.
Reason: To ensure the quality built form of the development.

Re-allocation of Bicycle Spaces

- 22A. Before the issue of the relevant construction certificate, the drawings must be revised to re-allocate at least 26 bicycle spaces from lower levels to Basement 1.
Reason: To provide sufficient accessible bicycle spaces for visitors to residents and commercial/retail/business premises staff.

Single Master TV Antenna

23. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed on the building to service the development. A connection is to be provided internally to each dwelling/unit within the development. Details of these connections are to be annotated on the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Certifying Authority. The connections are to be operational prior to the issue of any residential Occupation Certificate.
Reason: To protect the visual amenity of the area.

SEPP 65 Verification

24. Design Verification issued by a registered architect is to be provided with any application for a Construction Certificate detailing the construction drawings and specifications are consistent with the design quality principles in State Environmental Planning Policy No-65. Design Quality of Residential Flat Development.
Note: Qualified designer in this condition is as per the definition in SEPP 65.
Reason: To comply with the requirements of SEPP 65.

Construction Site Management Plan (DoP Mandatory Condition)

25. Before the issue of a Construction Certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
- location and materials for protective fencing and hoardings to the perimeter on the site
 - provisions for public safety
 - pedestrian and vehicular site access points and construction activity zones
 - details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site

- protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction.

Energy Provider Requirements for Substations

26. Documentary evidence to the satisfaction of the Certifying Authority is to accompany any application for a Construction Certificate confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.

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

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

Substations are not permitted within Council's road reserve.

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

Storage Provision

27. Prior to the issue of the relevant Construction Certificate, the basement storage areas will be allocated to the applicable residential units to the satisfaction of the Principal Certifying Authority. The allocation will be such that each unit has a minimum total secure storage volume (including the storage space within each unit) as follows:

- i) 1 bedroom units – 6m³
- ii) 2 bedroom units – 8m³
- iii) 3+ bedroom units – 10m³

Any storage areas to accommodate bicycle parking cannot be included in the above calculations.

Reason: To ensure each unit has sufficient on-site storage capacity.

Specialist Report Recommendation Implementation

28. The works/methods/procedures/control-measures/recommendations in the specialist reports outlined in Condition 1 shall be incorporated into the plans and documentation accompanying each Construction Certificate to the satisfaction of the Certifying Authority. A list of all of the recommendations and how they have been actioned shall be provided to Council.

Reason: To ensure a suitable level of residential and public amenity.

Access and Services for People with Disabilities

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

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

Adaptable Dwellings

30. The development must incorporate 21 adaptable dwellings.

At least 4 of the adaptable dwellings must be 3+ bedrooms units.

The pan and shower of each adaptable unit's bathroom must be in the same location in the pre and post conversion scenario allowing the ease of adaptation as required by AS4299.

Plans submitted with the Construction Certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

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

Location of Plant

31. Prior to issue of the relevant Construction Certificates, the Certifying Authority must be satisfied that all plant and equipment (including but not limited to air condition equipment) is located within the basement or screened on the roof, except as explicitly shown otherwise on the approved drawings.

Note: Architectural plans identifying the location of all plant and equipment must be provided to the Certifying Authority.

Reason: To minimise impact on surrounding properties, improved visual appearance and amenity for locality.

Location of Mains Services

32. To reduce the extent of overhead cabling, all service mains required to facilitate the development must be underground, both within the allotment boundaries and the public way. Details must be provided with the plans and documentation accompanying relevant applications for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

Reason: To provide infrastructure that facilitates the future improvement of the streetscape.

External Walls and Cladding Flammability

33. The external walls of the buildings including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of the relevant Construction Certificates and Occupation Certificates the Certifying Authority and Principal Certifying Authority must:

- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
- (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

Reason: To ensure building materials are sufficiently non-combustible.

Reflectivity of External Finishes

34. External materials (excluding paint) must be pre colour coated on manufacture having a low glare and reflectivity finish. The visible light reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the relevant Construction Certificate applications to the satisfaction of the Principal Certifying Authority.

Reason: To have a minimal impact on the neighbouring property.

Vehicular Entrance Materials

35. The eastern podium façade paint (referred to as 'P1 - White' on the architectural drawings hereby approved) shall be applied to the full extent of the side walls and ceiling of the driveway. Details demonstrating compliance shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

Reason: To reduce the visual impact of the driveway openings.

Enhanced Glazing

36. Any openings specified as requiring enhanced glazing in the NatHERS certificate hereby approved shall be clearly specified on the relevant Construction Certificate drawings and installed in the building to the satisfaction of the Certifying Authority prior to the release of the applicable Occupation Certificates.

Reason: To ensure the amenity of future occupants.

Environmentally Sustainable Design

37. Prior to issue of the relevant Construction Certificate the applicant shall submit, to the satisfaction of Council's Development and Traffic Services Unit (DTSU) Manager, revised architectural drawings with the relevant BASIX/NatHERS stamping demonstrating the following:
- 60kw minimum photovoltaic (PV) requirements. Location and space allocation for the PV array and necessary provisions for cleaning and maintenance access must be shown.
 - Ensure stamping does not obscure necessary information on the plans.
 - Ensure table on plan DA2-0006 matches BASIX/NatHERS certificates.
 - The BASIX requirements for rainwater collection and reuse reflect the proposed design.
 - The BASIX description of landscape and architectural arrangements are consistent with the drawings.

Reason: To ensure the environmental sustainability of the project and the amenity of future occupants.

Artwork Concept Development

38. A Detailed Public Art Plan prepared by a suitably qualified and experienced public art consultant, developed in accordance with the City of Parramatta's 'Interim Public Art Guidelines for Developers' shall be submitted to and approved by Council's DTSU Manager, prior to the issue of any Construction Certificate for works at ground level or above.

The Public Art Plan is to include contextual and historical themes, and design details of each public art work, including concept drawings, scale and context, materials and finishes, timeline showing staging of the artwork, and an estimated budget, indicated on the approved plans.

Reason: To achieve public art that is consistent with Council's guidelines.

Electric Car Charging

39. Prior to issue of the relevant Construction Certificate(s), infrastructure to enable charging of electric vehicles must demonstrate the following:

For residential car parking:

- a. All multi-unit residential car parking must provide an EV Ready Connection to each and every space allocated to residents.
- b. Provide EV Distribution Board(s) in of sufficient size to allow connection of all EV Ready Connections.
- c. Locate EV Distribution board(s) so that no future EV Ready Connection will require a cable of more than 50m from the parking bay to connect.
- d. Each EV Ready Connection is served from a dedicated spare 32A circuit provided in an EV Distribution Board to enable easy future

installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit.

- e. EV Distribution Boards are to be dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods, to ensure impacts of maximum demand are minimised. To deliver this, the distribution board will be complete with an EV Load Management System and an active suitably sized connection to the main switchboard. The distribution board must provide adequate space for the future installation (post construction) of compact meters in or adjacent to the distribution board, to enable the body corporate to measure individual EV usage in the future.
- f. EV Load Management System is to be capable of:
 - reading real-time current and energy from the electric vehicle chargers under management
 - determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are full recharged.
 - scale to include additional chargers as they are added to the site over time.

For all car share spaces and spaces allocated to visitors:

- a. A minimum Level 2 40A fast charger shall be installed adjacent to all car share parking spaces and car parking spaces allocated to visitors.

For all commercial building car parking:

- a. Provide a minimum Level 2 40A fast charger for every 10 commercial car spaces distributed throughout the car park to provide equitable access.

Reason: To provide for existing and future take up of electric vehicles.

Ventilation

40. The external windows off the residential corridors shall contain operable windows. Details demonstrating compliance shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

Reason: To provide natural cross ventilation and reduce reliance on mechanical cooling.

- 41A. Prior to the issue of any construction certificate it must be demonstrated that natural ventilation in habitable rooms that rely on fall-protected openings as the source of natural ventilation will be adequate. In that regard the opening(s) for natural ventilation must provide the minimum Effective Open Area of 5% of the floor area served, calculated as per the Apartment Design Guide as referred to in State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development, and allow for the additional losses from fly screens to account for any future installation.

Balustrade Heights

41. Notwithstanding the drawings hereby approved, all glass enclosing the external edges of the terraces on Level 2 are to be a maximum of 1.2m above the level 2 finished floor level. Details demonstrating compliance shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

Reason: To improve amenity and ensure floor space compliance.

Façade Material Substitution

42. Notwithstanding the drawings hereby approved, the darker grey paint (notation "P4 – Darker Grey" on the architectural drawings) shall be substituted with a pre-finished metal panel or similar. Details demonstrating compliance are to be submitted to and approved by Council's DTSU Manager prior to issue of the relevant Construction Certificate(s).

Reason: To improve the external appearance of the building and reduce maintenance costs.

Studies

43. Notwithstanding the drawings hereby approved, a sliding door shall be added to the wall between the bedroom and the study in all 1-bedroom+study units. Details demonstrating compliance shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

Reason: To improve the amenity of the study and reduce the likelihood of it being used as a bedroom.

Cold Water Schematic

44. Prior to issue of any Construction Certificate, the applicant is to submit to the satisfaction of Council's Manager Development and Traffic Services Unit, a schematic drawing which details a groundwater re-use system (including but not limited to tanks, meters, piping and pumping/treatment equipment) for the purposes of irrigation of open spaces on site.

Reason: To ensure groundwater collected on site can be reused on site for irrigation of open spaces.

Ausgrid***Underground Electricity Supply***

45. Electricity provision within the site is to be designed so that in the future the electrical connection from this site can be made to an underground connection within the street. Certification from an energy provider addressing their requirements for this provision is to be forwarded to the Certifying Authority with the application for any Construction Certificate.

Reason: To enable future upgrading of electricity services.

Engineering

On Site Detention

46. 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.

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 relevant Australian Standards and the National Construction Code.

- a) "Stormwater Management Plan" prepared by D.T Civil, project number 0185-21-MT, issue H, dated 16 March 2023
- b) Where OSD is required in areas formerly located in the Hornsby Shire Council area and now located within the City of Parramatta, the OSD system shall be designed to restrict the post development outflow from the site in the 20 year ARI storm event (Q20) is restricted to the pre development outflow from the site in the 5 year ARI storm event (Q5), i.e. $Q_{20, post} < Q_5, pre$.
- c) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.
- d) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

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

Water Treatment for Stormwater 16/03/23

47. Water quality treatment devices must be installed to manage surface runoff water to Council System to satisfy section 3.3.6.1 of Parramatta City Council Development Control Plan 2011 and generally in accordance with the "Stormwater Management Plan" prepared by D.T Civil. Details of the proposed devices and their location must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

Stormwater Disposal

48. 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 relevant applications for a Construction Certificate.

Reason: To ensure satisfactory stormwater disposal.

Construction Adjacent to Drainage Easement/Pipes

49. Foundations adjacent to a drainage easement/pipes are to be constructed in accordance with Council's Code "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements – Parramatta City Council Code E-3". Engineering details demonstrating compliance must be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the relevant Construction Certificate(s).

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

- 49A. A study of the local drainage system must be undertaken to ascertain whether upgrades to Council's existing stormwater system are necessary in order to cater for any additional runoff from the proposed development. This study shall detail the pre-development Council stormwater drainage network using the DRAINS model or equivalent. This model must then be run for pre and post development run-off conditions, considering overland flow from the upstream catchment and wind driven rain on the proposed structures. Improvements to the existing Council downstream stormwater drainage pipe system may be required in order to achieve a 20 ARI design capacity post-hydraulic check of the site drainage system will also need to be run at the point of connection to Council's drainage system to ensure that there are no issues of backwater flows resulting in flooding of sections of the site.

The results of this study must be submitted to Council's Team Leader Technical Specialists (DTSU) for approval prior to the release of any construction certificate.

Detailed plans for any civil works proposed within the public domain must be submitted with the DA for detailed design.

Reason: To ensure all works carried out on Council assets are consistent with Council standards and to ensure that the development consent complies with Condition 30 of the concept development consent DA/314/2017.

Groundwater Management Plan

50. At the completion of early works, but prior to issue of a Construction Certificate for anything other than shoring/piling, a Groundwater Management Plan must be prepared and submitted to and approved by Council's Manager Development and Traffic Services. The Groundwater Management Plan must outline the detailed design of the groundwater management system and must:
- a) Include a schematic plan and details of the groundwater management system, including capture, storage, treatment and reuse.
 - b) Include groundwater storage on the site with a minimum capacity to hold all pumped or otherwise retrieved groundwater for 5 days in case the groundwater reuse system fails.
 - c) Account for any increased inflows or contamination measured during

excavation.

- d) Notwithstanding the above requirements, the Plan must be generally in accordance with the requirements in the following reports/documents:
 - i. Geotechnical Opinion - Proposed Basement Dewatering letter prepared by JK Geotechnics, Ref 342095Yrpt4, dated 4 November 2022
 - ii. Hydrogeological Assessment by JK Geotechnics, Ref 34290Yrpt5, dated 07 Nov 2022
 - iii. Stormwater Drainage & Groundwater Management Plan by DT Civil, project number 0185-21-MT, issue H, dated 16 Mar 2023.
 - iv. Groundwater Re-use Concept prepared by Goldfish & Bay, Ref SKH-001, Revision 5, Dated March 2023.
- e) A Water Balance Study to ensure the Groundwater Management Plan volumes are correct and onsite reuse is sufficiently sized to deplete all groundwater inflows.
- f) Methods of disposal other than draining to Councils system in the event that reuse demand does not meet the supply.
- g) The BASIX contribution to irrigation shall be considered in the irrigation calculations.
- h) The Irrigation demand shall be calculated by a suitably qualified person.
- i) If it is found at the time of excavation that inflows of groundwater exceed the irrigation requirement, other reuse strategies shall be implemented. Such as toilet flushing.

Reason: To ensure that groundwater can be managed on site as proposed.

De-Watering of Excavated Sites

- 51. 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:

- i) The pollution of waters,
- ii) Nuisance to neighbouring properties, or
- iii) Damage/potential damage to neighbouring land and/or property.

For water accumulated within an excavation to be approved for drainage into Council Stormwater systems, the following discharge water quality standards must be met at all times throughout the construction phase of the development:

- i) pH 6.5-8.5;
- ii) Total Suspended Solids (TSS) 50 mg/l;
- iii) Oil and Grease 'Not visible'.
- iv) If site identified as containing contaminated or acid-sulphate soils, all trace contaminants must be removed from the groundwater prior to

disposal.

This may be achieved through the use of a 'WETSEP' system or equal, to hold and treat water prior to discharge.

Prior to release of the relevant Construction Certificate the Applicant must provide to the Principal Certifying Authority for approval full details of the construction phase stormwater and groundwater collection and discharge pollution control and quality management system, including full plant and equipment details, an operational and monitoring plan and evidence of ability to achieve the required performance.

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

Retaining/Shoring Walls

52. No approval is granted for retaining/shoring walls not marked on the approved plans.

The provision of retaining/shoring 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 relevant applications for Construction Certificates for assessment and approval by the certifying authority.

Reason: To minimise impact on adjoining properties.

Dial Before You Dig Service

53. 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 prior to any excavation occurring.

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

Basement Carpark and Subsurface Drainage

54. The basement pump-out system, must be designed and constructed to include the following:
- (a) A holding tank capable of storing groundwater inflows, allowing for pump failure.
 - (b) 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.
 - (c) A 100 mm freeboard to all parking spaces.

- (d) Submission of full hydraulic details and pump manufacturers specifications.
- (e) Pump out system shall not be connected to Council's Stormwater system.

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 relevant Construction Certificate.

Reason: To ensure satisfactory groundwater disposal.

Collection and Discharge of Water from Car Wash Bay

- 55. All washing of motor vehicles must be carried out in a designated area and must be drained to a sump and cleansed via a coalescing plate separator prior to discharge into the sewer. Documentary evidence is required from the Trade Waste Section of the Sydney Water Corporation Ltd confirming satisfactory arrangements have been made with the Corporation with respect to the disposal of dirty water into the sewerage system, prior to the issue of the relevant Construction Certificate.

Reason: To ensure satisfactory storm water disposal.

Driveway Surface to Match Existing Footpath Level

- 56. The driveway within the property shall be designed and constructed to match the surface levels of the existing footpath along the property frontage such that joints are smooth, and no part of the concrete protrudes out. To prevent street stormwater spilling into the property through the driveway, the driveway surface should be graded such that it rises upward from kerb & gutter with the crest across the driveway at the property line.

Reason: To provide suitable vehicle access and smooth junction.

Construction of Heavy Duty Vehicular Crossing

- 57. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing numbers DS9 and DS10. Details must accompany the relevant 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.

Proposed inlet pit

- 58. The proposed kerb inlet pit must be constructed in accordance with Council Standard Plan No. DS21. Details demonstrating compliance are to be submitted to and approved by the Principal Certifying Authority prior to issue of the relevant Construction Certificate.

Reason: To ensure appropriate drainage.

Exhaust Fumes

59. All mechanical exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1 - 1998 – ‘The use of ventilation and air conditioning in buildings’ – ‘Fire and smoke control in multi-compartmented buildings’. Details showing compliance are to accompany the relevant application for a Construction Certificate.

Reason: To preserve community health and ensure compliance with acceptable standards.

Impact on Existing Utility Installations

60. Where work is likely to disturb or impact upon a utility installation, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the affected utility provider that they raise no objections to the proposed works must accompany the relevant 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.

Support for Council Roads, Footpath, Drainage Reserve

61. 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 the relevant applications for Construction Certificates and be to the satisfaction of the Principal Certifying Authority. 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.

Environmental Health

Waste and Recycling Storage Facilities

62. Waste and recycling storage facilities are to be provided in each residential unit. Details of the unit waste storage areas are to be provided to the satisfaction of the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate(s).

Reason: To ensure adequate storage for refuse.

Separation of Waste

63. Separate waste processing and storage facilities are to be provided for each use in mixed use developments. These facilities should be designed and located so that they cannot be accessed by the public, and are accessible by

a private waste contractor for collection.

A caretaker is to be appointed by the managing body to be responsible for the management of all waste facilities as indicated in the Waste Management Plan.

Reason: To ensure appropriate waste storage facilities are provided for future occupants.

Garbage Chutes

64. The garbage chutes must be designed in accordance with the requirements of Council's Development Control Plan, the Building Code of Australia and the Department of Environment and Climate Change Better Practice Guide for Waste Management in Multi-Unit Dwellings.

Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.

Details are to be provided on the plans and documentation accompanying the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

Reason: To ensure waste conveyance equipment is appropriately designed and managed.

Waste Storage Rooms

65. Storage rooms for waste and recyclables are to be provided within the development as indicated on the approved plans, and shall be constructed to comply with the following provisions:

- i) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
- ii) 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;
- iii) The walls being cement rendered to a smooth, even surface and coved at all intersections;
- iv) Cold water being provided in the room, with the outlet located in a position so that it cannot be damaged, and a hose fitted with a nozzle being connected to the outlet.
- v) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Details shall be indicated on the plans submitted with the relevant Construction Certificate application that demonstrate compliance with these requirements to the satisfaction of the Principal Certifying Authority.

Reason: To ensure provision of adequate waste storage arrangements.

Waste Management Plan – Construction (DoP Mandatory Condition)

66. Before the issue of a Construction Certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:
- (a) Council's Waste Management Development Control Plan
 - OR**
 - (b) details the following:
 - the contact details of the person(s) removing the waste
 - an estimate of the waste (type and 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 is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.

Reason: To ensure resource recovery is promoted and local amenity protected during construction.

Waste Management

67. Prior to issue of the relevant Construction Certificate the Principal Certifying Authority is to be satisfied that the following elements of the approved Waste Management Plan will be implemented:
- a) The garbage (chute) rooms and waste storage rooms at the ground level must include water or a hose for cleaning, graded floors with drainage to sewer, a robust door, sealed and impervious surface, adequate lighting and ventilation, and must be lockable. The sizing of such rooms must be in accordance with the approved Waste Management Plan.
 - b) The finished access way (including ramp, loading bay and site entry/exit) to be used by waste collection vehicles complies with Australian Standard AS2890.2-2002 Parking Facilities Part 2: Off-street Commercial Vehicle Facilities for large rigid vehicles.
 - c) The bin carting routes must be devoid of any steps. Note: Ramps between different levels are acceptable.
 - d) The 4.0 metre vertical clearance height within the truck travel path must not be reduced by ducting, lights, pipes, roller doors or anything else.
 - e) Access to the automatic waste volume handling equipment by unauthorised persons (including residents and waste collectors) must be prevented.

Reason: To ensure provision of adequate waste storage arrangements.

Outdoor Lighting

68. All outdoor lighting and lighting of publicly accessible spaces must comply with the relevant provisions of AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting, and with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting, and designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill.

A detailed lighting plan demonstrating compliance with these requirements be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

Reason: To protect the amenity of the surrounding neighbourhood from the emission of light and to provide high quality external lighting for security without adverse effects on public amenity from excessive illumination levels.

Noise impact on residential building

69. 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 **residential buildings** from rail corridors and/or busy roads:
- (a) In any bedroom in the building: 35dB(A) between 10pm – 7am;
 - (b) Anywhere else in the building (other than a garage, hallway, kitchen or bathroom) 40dB(A) at any time.

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

Noise impact on child-care centres

70. 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:
- (a) In any area: 40dB(A) at any time.

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

Noise Management Plan – Construction Sites

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

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

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

Reason: To maintain appropriate amenity to nearby occupants.

Inter-unit Noise

72. Prior to issue of the relevant Construction Certificate(s), the applicant is to engage an appropriately qualified acoustic consultant to provide advice on construction of the inter-unit walls, in particular where living rooms and kitchens directly adjoin the bedrooms of adjacent units, to ensure satisfactory acoustic protection. The consultants' recommendations are to be implemented in the construction drawings. Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To ensure acoustic amenity of units.

Road surface to be rated to support load mass up to 25t

73. Prior to the issue of any Construction Certificate for works at ground level or above, the applicant is to provide evidence the driveway and any areas the waste vehicles will travel will be constructed to support a load mass of up to 25t. Details demonstration compliance are to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To ensure waste vehicles can safely access the ramp to provide waste collections

Bulk waste room and access

74. Prior to issue of the relevant Construction Certificate the applicant is to amend the plans relating to the access to the bulk waste room. The bulk waste room must have an independent access to and from the loading dock and not via the residential waste holding area.

Reason: To ensure council and its contractors can safely access the bulk waste room and access is not impeded.

Public Domain

Public Domain Construction Drawings

75. Prior to the issue of the Construction Certificate for any construction work relating to the ground floor, including slab pour, public domain works or any other above ground structure, a set of detailed **Public Domain Construction Drawings** must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The drawings shall address, but not limited to, the following areas:

- All the frontages of the development site between the gutter and building line, including footpath, drainage, forecourt and front setback;
- Any publicly accessible areas;
- Any works in carriageway, and
- Onsite landscape work, subject also to Landscape Management Officer's advice.

Grading of the pedestrian footway:

- The footpath must achieve a cross fall of 1% - 2.5% maximum.
- The footpaths should positively drain away from the property boundary/ building line
- Detailed design spot levels and designed contour lines are required.
- Localised flattening of public footpath levels at building doorways is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Council. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.

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

- The latest City of Parramatta Public Domain Guidelines (PPDG);
- The approved public domain drawings,
- The approved public domain alignment drawings,
- The approved landscape drawings, and
- All the conditions listed in this consent.

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

Footway Specifications

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

Footpath

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

A footpath width of 1800 mm is required.

New kerb and gutter and new verge installation is required as part of these works.

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

Vehicle Crossing

Council's standard vehicle crossing is to be provided. Refer Council's design standards DS9 and DS 10.

Pit Lids and grates

All Pit lids and grates in paved areas of the public domain should be level with the paving around and aligned with the paving pattern as per the PDG. Joints should be coordinated where possible. Where allowed by the service providers, the pit lids should be infilled with the surrounding paving material.

Tactile Indicators (TGSIs)

TGSIs must be used on the public footpath and comply with the requirements in the Public Domain Guidelines and the latest versions of AS1428.1 and AS1428.4. The TGSIs must be installed in the locations as shown on the approved Public Domain Construction Drawings.

Clear Path of Travel (Shore-Lining)

Council continues to develop uniform design approach(s) to delineating a clear path of travel past complex built forms at the footway level. Options could include, but not be limited to, change in pavement colour, textures and or other visual aids etc. that meet DDA requirements. Final design solutions to suit the project are to be proposed by the applicant for consideration and inclusion in the Public Domain Construction Drawings prior to issuing of CC approval.

Lighting

Pedestrian and street lighting shall be to Council's requirements and Australian Standards. All the lighting features in the public domain shall be detailed in the Public Domain Construction Documentation. All new LED luminaires shall include 7pin NEMA socket. Street lights in the public domain to located at the back of kerb within the furniture zone as per the PDG.

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

Construction Certificate.

Reason: To comply with the Public Domain Guidelines.

Street Tree Specifications

77. Notwithstanding the approved public domain drawings, the required street tree species, quantities and supply stocks are:

Street Name	Botanical Name	Common name	Pot Size	Qty	Average Spacing
Oxford Street	Fraxinus pennsylvanica "Urbanite"	Urbanite Green Ash	200L	3-4 at an average spacing of 8-10m after accommodating existing retained trees.	Typically 8-10m, or as shown on the approved drawings or as agreed by Manager Urban Design or Landscape Management Officer

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

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

Minimum soil volume required per tree is 23.8 cubic m as per the PPDG. A structural pavement system may be required around proposed street trees in the footway and publicly accessible pedestrian areas to achieve these soil volumes. The systems are required to mitigate against soil compaction and to maximise aeration and porosity in the tree root zone. Suitable systems include suspended concrete slabs or structural cells such as strata cells.

The base of all tree pits shall incorporate a drainage layer and pipe that connects to nearest stormwater pit and must be shown on the Public Domain Construction Drawings, subject to Landscape Management Officer's advice. The invert level of the storm water pit receiving the drainage water from the tree pits is also to be shown on the Public Domain Construction Drawings.

Calculations demonstrating tree pit and soil volume compliance as per the PDG are to be included in the Public Domain Construction Drawings. Soil depth calculations are to be based on a maximum depth of 1m excluding any drainage layers.

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

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

Sydney Water

Sydney Water Tap In

78. The approved plans must be submitted to the Sydney Water Tap in™ online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water Tap in™ online self-service replaces our Quick Check Agents as of 30 November 2015.

The Tap in™ service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's Tap in™ online service is available at:
<http://www.sydneywater.com.au/tapin/index.htm>.

Sydney Water recommends developers apply for Building Plan approval early as in some instances the initial assessment will identify that an Out of Scope Building Plan Approval will be required.

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

Out of Scope Building Plan Approval

79. Sydney Water will need to undertake a detailed review of building plans:

1. That affect or are likely to affect any of the following:
 - Wastewater pipes larger than 300mm in size
 - Pressure wastewater pipes
 - Drinking water or recycled water pipes
 - Our property boundary
 - An easement in our favour
 - Stormwater infrastructure within 10m of the property boundary.
2. Where the building plan includes:
 - Construction of a retaining wall over, or within the zone of influence of our assets
 - Excavation of a basement or building over, or adjacent to, one of our assets
 - Dewatering – removing water from solid material or soil.

The detailed review is to ensure that:

- our assets will not be damaged during, or because of the construction of the development
- we can access our assets for operation and maintenance
- your building will be protected if we need to work on our assets in the future.

The developer will be required to pay Sydney Water for the costs associated with the detailed review.

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

Tree Planting

80. Certain tree species placed in close proximity to Sydney Water's underground assets have the potential to inflict damage through invasive root penetration and soil destabilisation. Sydney Water requires that all proposed or removed trees and vegetation included within the proposal adhere to the specifications and requirements within Section 46 of the Sydney Water Act (1994) and *Diagram 5 – Planting Trees* within our Technical guidelines – Building over and adjacent to pipe assets. Please note these guidelines include more examples of potential activities impacting our assets which may also apply to your development.

If any tree planting proposed breaches our policy, Sydney Water may need to issue an order to remove every tree breaching the act, or directly remove every tree breaching the Act and bill the developer or Council for their removal.

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

Backflow Prevention Requirements

81. Backflow is when there is unintentional flow of water in the wrong direction from a potentially polluted source into the drinking water supply.

All properties connected to Sydney Water's supply must install a testable Backflow Prevention Containment Device appropriate to the property's hazard rating. Property with a high or medium hazard rating must have the backflow prevention containment device tested annually. Properties identified as having a low hazard rating must install a non-testable device, as a minimum.

Separate hydrant and sprinkler fire services on non-residential properties, require the installation of a testable double check detector assembly. The device is to be located at the boundary of the property.

Before you install a backflow prevention device:

1. Get your hydraulic consultant or plumber to check the available water pressure versus the property's required pressure and flow requirements.
2. Conduct a site assessment to confirm the hazard rating of the property and its services. Contact PIAS at NSW Fair Trading on 1300 889 099.

For installation you will need to engage a licensed plumber with backflow accreditation who can be found on the Sydney Water website:

<http://www.sydneywater.com.au/Plumbing/BackflowPrevention/>

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

Traffic

Car Park Design

82. Parking spaces and internal access ways are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6.

Any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like must not compromise appropriate manoeuvring and maintain compliance with AS 2890.1, AS2890.2 and AS 2890.6.

Details demonstrating compliance are to be submitted to and approved by Council's DTSU Manager prior to issue of the relevant Construction Certificate.

Reason: To ensure appropriate vehicular manoeuvring is provided.

Driveway Grades

83. 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 12.5% over 2m or less in areas used only by light vehicles or 6.25% over 4m or less in areas used by commercial vehicles, 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 relevant application for a Construction Certificate.
- Reason:** To provide suitable vehicle access without disruption to pedestrian and vehicular traffic.

Bicycle Parking

84. Bicycle storage areas, capable of accommodating the following minimum bicycles within fixed bicycle rails, must be provided in the locations specified:
- a) Residential Occupants: **204** bicycles (in basement)
 - b) Residential Visitors: **18** bicycles (basement level 1 or above)
 - c) Commercial Occupants: **2** bicycles (basement level 1 adjacent end of trip facilities)

The bicycle storage areas and bicycle rails must be designed to meet the requirements of AS 2890.3 – 2015. Details of compliance with this standard are to accompany the relevant Construction Certificate applications to the satisfaction of the Principal Certifying Authority.

Reason: To comply with Council's parking requirements.

Pedestrian Safety

85. 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 to Oxford Street. The sight lines shall not be compromised by landscaping, signage, fences, walls or display materials. Sight distances from the proposed vehicular crossing are to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance' and AS 2890. Details are to be illustrated on plans submitted with the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.
- Reason:** To comply with Australian Standards and ensure pedestrian safety.

Security Roller Shutters for Basement Car Parking - Operation

86. The security roller shutters and/or boom gates preventing access to the underground car park are to be operable by remote control for residents.

An intercom system is to be installed to enable visitor access. The intercom is to be provided at the centre of the driveway on a concrete median separator (not attached on the wall) to the carpark in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.

The intercom and roller shutter door must be placed in such a way as to ensure that all vehicles are wholly contained on site before being required to stop.

Details of the system, including the location of the intercom and swept path testing demonstrating acceptable manoeuvring of all relevant vehicle types, is to accompany the relevant application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

Reason: To ensure visitor car parking is accessible.

Accessible Car Parking

87. 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', 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 the relevant applications for Construction Certificates 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.

Visitor Parking

88. Each basement visitor car parking space is to be signposted. Details are to be provided with the relevant applications for Construction Certificates.

Reason: To comply with Australian Standards.

Trees and Landscaping

Planting Upon Structure

89. The following must be provided with the relevant applications for Construction Certificates to the satisfaction of the Principal Certifying Authority:
- (a) Construction details showing substrate depth, drainage, waterproofing for all planting on structures, including planting over stormwater tanks, raised planters and rooftop gardens are to be provided by a suitably qualified structural engineer.
 - (b) A specification ('Fit-for-purpose' performance description) for soil type and maintenance schedule specified by a suitably qualified Soil Scientist, to ensure sufficient nutrient and water availability is achieved which must be specific to the tree species proposed must be provided by a suitably qualified Soil Scientist.
 - (c) Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and certification must be provided by a

suitably qualified Landscape Architect/Designer.

- (d) Soil volume, soil depth and soil area must meet the prescribed standards in “Apartment Design Guide – tools for improving the design of residential apartment development” (NSW Department of Planning and Environment, 2015). Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and 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/Designer.

Reason: To ensure the creation of functional gardens.

Irrigation

- 90. Where tree and understorey planting is proposed on slab or under building an automatic irrigation system is to be provided.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issuing of relevant Construction Certificates and again prior to the issuing of relevant Occupation Certificates.

Reason: To provide best conditions to achieve healthy, thriving, long-lived trees in the CBD and town centres.

Tree Protection

- 91. Before the issue of a Construction Certificate, a Tree Protection Plan and Tree Protection Specification report and diagram must be provided in accordance with AS4970-2009 Protection of Trees on Development Sites. It is to be prepared by a suitably qualified consulting arborist (Australian Qualification Framework Level 5). The plan and report are to identify the measures to be implemented for protection of all trees identified for protection within the Arboricultural Impact Assessment Report prepared by Jackson’s Nature Works dated 24 November, 2022 and the consent during all phases of development inclusive of demolition, excavation, construction and landscaping works. The report is to be structured so that each of the following stages of construction are individually addressed and supervised by the project arborist:
 - (a) Tree Protection Measures inclusive of canopy, trunk and tree root protection in accordance with AS 4970-2009 - Protection of Trees on Development Sites;
 - (b) Supervision of any excavation to be undertaken within the calculated Tree Protection Zones of the above nominated trees and/or within three (3) metres of any other existing tree equal to or greater than five (5) metres in height located on any adjoining property.
 - (c) Construction of any structure which requires a footing;
 - (d) Construction of any footpaths (i.e. preferably raised footpath)
 - (e) Installation of services (i.e. bridging of roots, under-boring, hand-digging) and Back filling;
 - (f) Landscaping. (i.e. minimise cultivation, raking, planting techniques within the TPZ & SRZ);

- (g) Any other stages that the project arborist deems necessary;
- (h) The report must include a tree protection plan where trees are proposed to be retained. The tree protection plan shall identify the tree protection area for each tree and clearly identify the percentage of development encroachment to the root system and canopy of the tree;
- (i) The tree protection plan shall discuss specific tree protection measures and discuss & show all proposed development works, including the location of the above and below ground structures, scaffolding, irrigation, lighting and any other services which may impact the existing trees;
- (j) Plan to clearly show the location of the tree protection fencing and/or any other tree protection measures proposed specifically for this development site;

Reason: To ensure adequate protection of existing trees.

Landscaping Plan

92. The final Landscape Plan must be consistent with the Landscape DA Report and plans numbered L000 Issue F, L100 Issue E, L200 Issue F to L201 Issue F, L202-L204 Issue E, L205 Issue A and L210 Issue D prepared by Meriton together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:
- (a) Replace proposed *Eucalyptus cinerea* with x WAT flo *Waterhousea floribunda* 'Sweeper' (Weeping Lilly Pilly) on L201;
 - (b) Add the location of all proposed and existing overhead and underground service lines and pits to ensure plans are coordinated. The location of such service lines shall be clear of the dripline of existing and proposed trees;
 - (c) Add minimum one (1) small tree to the large planter on the level 26 podium as per the page 9 Podium Precedent Images. Suitable species include (but are not limited to) the following:
 - *Magnolia grandiflora* 'Little Gem' (Magnolia)
 - *Banksia ericifolia* (Heath-leaved banksia)
 - *Plumeria* sp. (Frangipani)
 - *Olea europaea* (Olive Tree)

Reason: To ensure restoration of environmental amenity.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

Planning

Appointment of Principal Certifying Authority

93. 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 and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and

- (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

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

Reason: To comply with legislative requirements.

Enclosure of the Site

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

Reason: To ensure public safety.

Site Sign

95. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 70 of the Environmental Planning and Assessment Regulations 2021 detailing:
- (a) Unauthorised entry of the work site is prohibited;
 - (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
 - (c) The name, address and telephone number of the Principal Certifying Authority;
 - (d) The development consent approved construction hours;

The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.

This condition does not apply where works are being carried out inside an existing building.

Reason: Statutory requirement.

Toilet Facilities on Site

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

Reason: To ensure adequate toilet facilities are provided.

Public Liability Insurance

97. Public risk insurance in the amount of not less than \$20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:
- (a) Above;
 - (b) Below; or
 - (c) On

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

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

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

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

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

Footings and Walls Near Boundaries

98. Prior to the commencement of work, a registered surveyor is to undertake a set out survey to identify the location of all footings, slabs, posts and walls adjacent to a boundary. This is to ensure the development when complete, will be constructed wholly within the confines of the subject allotment. This set out survey showing the location of the development relative to the boundaries of the site, is to be forwarded to the Principal Certifying Authority prior to pouring of any footings or slabs and/or the construction of any walls/posts.

Reason: To ensure that the building is erected in accordance with the approval granted and within the boundaries of the site.

Survey Report

99. A survey certificate is to be submitted to the Principal Certifying Authority at footing and/or formwork stage. The certificate must indicate the location of the building in relation to all boundaries, and must confirm the floor level is consistent with that approved under this consent prior to any further work proceeding on the building.

Reason: To ensure the development is being built as per the approved plans.

Engineering

Construction Environmental Management System and Plan

100. A Construction Environmental Management System and Plan (CEMP) shall be submitted to, and approved by, Council's DTSU Manager prior to work.

The CEMP must be prepared in accordance with ISO14001:2015 and the Department of Infrastructure, Planning and Natural Resources (2004) '*Guidelines for the Preparation of Environmental Management Plans*' and submitted to the relevant authorities at least 4 weeks prior to the commencement of construction.

This plan should cover demolition, soil and water management and site maintenance and any associated groundwater, flooding and overland stormwater flow management. It must address any possible pollution risks, and how they will be managed. It must incorporate updated erosion and sediment control plans/ stormwater plan showing how rainwater and groundwater captured within the site will be treated to satisfactory water quality standards, monitored and discharged. The plan and management system must be implemented throughout the work.

Reason: Environment protection.

Road Opening Permits

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

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

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

Dilapidation Survey & Report for Private Properties

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

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

In the event 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 Principal 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.

Geotechnical Report

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

Where it is considered there is potential for the excavation to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

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

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

The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydrogeological engineer with demonstrated

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

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

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

Erosion and Sediment Control Measures

104. An erosion and sediment control plan is to be submitted to and approved by Council's DTSU Manager prior to works commencing that includes the following:

- 1. Architectural plans showing the location of soil and waste stockpile storage areas.
- 2. Details of how erosion and sediment controls will be used on put in place and maintained on site throughout the demolition and construction stages of the project.
- 3. Details of how waste water will be treated and disposed of from site.

The erosion and sediment control measures approved are to be installed 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 prevent pollution of the of waterways

Site Maintenance

105. Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site must be maintained in a safe and tidy manner. In this regard the following must be undertaken:
- (a) all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
 - (b) all site boundaries are to be secured and maintained to prevent unauthorised access to the site;
 - (c) all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
 - (d) the site is to be maintained clear of weeds; and
 - (e) all grassed areas are to be mowed on a monthly basis.

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

Shoring and Adequacy of Adjoining Property

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

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

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

Special Permits

107. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:
- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.

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

Reason: Proper management of public land.

Driveway Crossing Application

108. 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.

Existing Damage to Public Infrastructure

109. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Council of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters, drainage pits, pipes etc. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of works. Failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs

Reason: To ensure that the applicant bears the cost of all restoration works to Council's property damaged during the course of this development.

Traffic***Construction and Pedestrian Traffic Management Plan***

110. Prior to the commencement of any works on site, the applicant shall submit a Construction and Pedestrian Traffic Management Plan (CPTMP) to the satisfaction of Council's Traffic and Transport Manager. The CPTMP shall be prepared by a suitably qualified and experienced traffic consultant. The following matters must be specifically addressed in the CPTMP:
- a) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
 - b) Turning areas within the site for construction and spoil removal vehicles, allowing forward entry and egress for all construction vehicles on the site,
 - c) The location of proposed Work Zones in the egress frontage roadways,
 - d) Location of any proposed crane standing areas,
 - e) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
 - f) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
 - g) The provisions of an on-site parking area for employees, tradesperson and construction vehicles to the greatest extent possible,
 - h) 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,
 - i) A detailed description of locations that will be used for layover for trucks waiting to access the construction site,
 - j) Proposed construction hours,
 - k) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements,
 - l) Construction program that references peak construction activities and proposed construction 'Staging',

- m) Any potential impact to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works,
- n) Cumulative construction impacts of projects in the Epping Town Centre. Should any impacts be identified, the duration of the impacts,
- o) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified,
- p) The plan may be required to include restrictions on the number of trucks that can access the site in peak hours and a requirement for the developer to provide video footage of the frontage of the site on a weekly basis so that Council can enforce this requirement,
- q) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road if applicable, and,
- r) A schedule of site inductions on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations,

The CPTMP is to include the provision of a sign on the hoarding that provides a phone number and email address for members of the local community to make enquires or complaints regarding traffic control for the site. The construction company for the site is to provide a representative for meetings that may occur once a month and may include representatives of the local community and Council staff to discuss traffic control at the site.

Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Work 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 'Work 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.

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.

Approval shall be obtained from City of Parramatta Council for any temporary road closure or crane use from public property.

Reason: To ensure the 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.

Trees and Landscaping

Tree Protection Measures

111. Prior to the commencement of any demolition, excavation or construction works, tree protection measures shall be installed in accordance with the Australian Qualifications Framework (AQF) Level 5 arborist recommendations as outlined in report Arboricultural Impact Assessment Report prepared by Jacksons Nature Works, dated 24 November 2022 and all relevant conditions of this consent.

Tree No.	Name	Common Name	Radius from the trunk	Protection Measures
1	<i>Waterhousea floribunda</i>	Weeping Lilly Pilly	3 metres	Refer to arborist report
12	<i>Xylosma senticosum</i>	Xylosma	2.4 metres	Refer to arborist report
13	<i>Syzygium paniculata</i>	Magenta Cherry	6 metres	Refer to arborist report
14	<i>Xylosma senticosum</i>	Xylosma	3 metres	Refer to arborist report
15	<i>Xylosma senticosum</i>	Xylosma	3 metres	Refer to arborist report
16	<i>Syzygium sp</i>	Lilly Pilly	2 metres	Refer to arborist report
17	<i>Eucalyptus saligna</i>	Sydney Blue Gum	12 metres	Refer to arborist report
18-23	<i>Syzygium sp</i>	Lilly Pilly	2 metres	Refer to arborist report
24	<i>Syzygium sp</i>	Lilly Pilly	2.4 metres	Refer to arborist report
25	<i>Jacaranda mimosifolia</i>	Jacaranda	4 metres	Refer to arborist report
26-28	<i>Syzygium sp</i>	Lilly Pilly	1.8 metres	Refer to

				arborist report
29	<i>Magnolia grandiflora</i>	Southern Magnolia	4 metres	Refer to arborist report
30	<i>Casuarina cunninghamiana</i>	She-Oak	2 metres	Refer to arborist report

Reason: To ensure the protection of the existing trees on the site.

Pruning/Works on Trees

112. Consent from Council must be obtained prior to any pruning works being undertaken on any tree on site, or any trees located in adjoining properties. All approved pruning works must be supervised by an Australian Qualifications Framework (AQF) Level 3 certified Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.

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

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

Planning

Building Work in Compliance with BCA (DoP Mandatory Condition)

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

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

Copy of Development Consent

114. A copy of this development consent, together with the stamped plans, reference documents and associated specifications, is to be held onsite 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.

Materials on Footpath

115. 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.

Materials on Drainage Line

116. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

Reason: To ensure that building materials are not washed into stormwater drains.

Hours of Work and Noise (DoP Mandatory Condition)

117. 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.

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

Construction Noise (DoP Mandatory Condition)

118. 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

Implementation of BASIX Commitments (DoP Mandatory Condition)

119. While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.

Reason: To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 75 of the EP&A Regulation 2021)

Uncovering Relics/Aboriginal Objects (DoP Mandatory Condition)

120. While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- “relic” means any deposit, artefact, object or material evidence that:-
 - (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - (b) is of State or local heritage significance; and
- “Aboriginal object” means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Reason: To ensure the protection of objects of potential significance during works.

Complaints Register

121. 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:

- | | |
|--|--------------|
| i) | The date |
| and time of the complaint; | |
| ii) | The means |
| by which the complaint was made; | |
| iii) | Any |
| personal details of the complainants that were provided, or if no details were provided, a note to that effect; | |
| iv) | Nature of |
| the complaints; | |
| v) | Any |
| action(s) taken by the applicant in relation to the complainant, including any follow up contact with the complainant; and | |
| vi) | 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 to ensure complaints are dealt with appropriately.

Drip Grooves

122. Prior to each above ground concrete slab pour, the Principal Certifying Authority is to ensure that drip grooves will be provided to all edges above wall sections that will have a paint finish.

Reason: To minimise dripping and staining on painted facades.

Engineering

Erosion & Sediment Control Measures

123. 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.

Grated Drain at the base of Driveway Ramp

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

Reason: Stormwater control.

Damage to Public Infrastructure

125. 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.

Construction of a Footpath

126. A footpath is to be constructed in accordance with Council Standard Drawing DS3 in front of the site within the road reserve. Details of the proposed footpath works shall be submitted to and approved by Council's Civil Asset Team prior to commencement of footpath works. All costs are to be borne by the applicant.

Reason: To provide pedestrian passage.

Vehicle Egress Signs

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

Reason: To ensure pedestrian safety.

Nomination of Engineering Works Supervisor

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

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

Drainage to Existing System

129. 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.

Environmental Health***New Contamination Evidence***

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

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

Contaminated waste to licensed EPA landfill

131. 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.

Groundwater Analysis

132. Groundwater shall 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 NSW EPA water quality standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

Other options for the disposal of groundwater 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 ensure that contaminated groundwater does not impact upon waterways.

Waste Data Maintained

133. A Waste Data file is to be maintained, recording building/demolition contractors 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 are met.

Dust Control

134. 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 the City of Parramatta Council's Guidelines for Controlling Dust from Construction Sites and Section 126 of the *Protection of the Environment Operations Act 1997*.

Reason: To protect the amenity of the area.

Noise/Vibration

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

Vibration levels resulting from demolition and excavation activities must not exceed those limites specified in the German Standard DIN 4150 – Part 3: 2016 which is reproduced below:

Table 1 — Guideline values for vibration velocity, $v_{i,max}$, for evaluating the effects of short-term vibration on structures

Line	Type of structure	Guideline values for $v_{i,max}$ in mm/s				
		Foundation, all directions, $i = x, y, z$, at a frequency of			Topmost floor, horizontal direction, $i = x, y$	Floor slabs, vertical direction, $i = z$
		1 Hz to 10 Hz	10 Hz to 50 Hz	50 Hz to 100 Hz ^a	All frequencies	All frequencies
Column	1	2	3	4	5	6
1	Buildings used for commercial purposes, industrial buildings, and buildings of similar design	20	20 to 40	40 to 50	40	20
2	Residential buildings and buildings of similar design and/or occupancy	5	5 to 15	15 to 20	15	20
3	Structures that, because of their particular sensitivity to vibration, cannot be classified under lines 1 and 2 and are of great intrinsic value (e.g. listed buildings)	3	3 to 8	8 to 10	8	20 ^b
NOTE Even if guideline values as in line 1, columns 2 to 5, are complied with, minor damage cannot be excluded.						
^a At frequencies above 100 Hz, the guideline values for 100 Hz can be applied as minimum values.						
^b Paragraph 2 of 5.1.2 shall be observed.						

Reason: To protect the amenity of the area.

Importation of Clean Fill

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

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

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

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

Public Domain

Public Domain Works Inspections

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

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

The required inspections include the followings:

- Commencement of public domain works including set out of tree pits;
- Formwork inspection for all footpaths and footpath crossing call 9806 8250 minimum of 24 hours in advance of the required inspection.
- Commencement of the works including survey marks, sub-grade preparation and set out of kerb alignments;
- Completion of concrete blinding layer and set out/location of furniture installation (as applicable);
- Installation of street trees including required sub-drainage layer installed as specified.
- 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.
- Final defects inspection after all work has been completed to view paving, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

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

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

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

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

Traffic

Occupation of any part of Footpath/Road

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

Reason: To ensure proper management of Council assets.

Oversize Vehicles Using Local Roads

139. Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.

Reason: To ensure maintenance of Council's assets.

Trees and Landscaping

Tree Pruning

140. All pruning must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist and confirm to the provisions of AS4373-2007 "Pruning Amenity Trees", and the Safe Work Australia Guide to managing risks of tree trimming and removal work.

Reason: To ensure the pruning will not adversely affect the tree(s).

No Attachments to Trees

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

Reason: To ensure the protection of the tree(s).

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

Planning

Occupation Certificate

142. Occupation or use of the approved buildings or part thereof 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 complying with legislative requirements of the Environmental Planning and Assessment Act 1979.

Record of Inspections Carried Out

143. 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 numbers 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 stator requirements.

BASIX Compliance

144. Under Section 75 of the Environmental Planning & Assessment Regulation 2021, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. **1327819M_15**, will be complied with prior to occupation.

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

Note. Updated under DA/1/2022/A.

Release of Securities/Bonds (DoP Mandatory Condition)

145. When Council receives an Occupation Certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with City of Parramatta Fees and Charges Schedule.

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

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

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

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

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

Public Access

146. Prior to the issue of the final Occupation Certificate, the applicant shall establish a right of way on title over the 4.5m front setback area at ground floor level for unrestricted public access in perpetuity.

Reason: To ensure that public benefits are provided in keeping with the

applicant's offer.

SEPP 65 Verification Statement OC Stage

147. Design Verification issued by a registered architect is to be provided with relevant applications for residential Occupation Certificates 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 Part 2 of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development.

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

Reason: To comply with the requirements of SEPP 65.

Adaptable Dwellings

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

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

Certification – Fire Safety

149. 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.

Reason: Protection of life and to comply with legislative requirements.

Street Numbering

150. An application for street numbering must be lodged with Council for approval, prior to the issue of relevant Occupation Certificates.

The developer must provide Council with a schedule of individual unit/street numbers as displayed within the development for identification purposes.

The numbering sequence must be in accordance with the street numbering approval letter issued by Council.

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.

Street Numbering Display

151. Street numbers are to be placed on the buildings in readily visible locations from public places prior to the issue of the relevant Occupation Certificates. The numbers are to have a minimum height of 75mm.

Reason: To assist wayfinding.

Broadband Access

152. Prior to the issue of any residential Occupation Certificates, the developer is to provide evidence that satisfactory arrangements have been made with the National Broadband Network (NBN) Company 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.

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

Provision of Telephone Services

153. The submission of documentary evidence from the telecommunications provider authorised under the Telecommunications Act 1997 confirming arrangements have been made for the provision of telephone services to the building prior to the issue of each Occupation Certificate.

Reason: To ensure appropriate telephone services are provided.

Certification – Artwork

154. Final documentation including details of fabrication and installation of the public art work, including a maintenance schedule, must be submitted and approved by Council and the art work completed in full and installed to the satisfaction of Council prior to the issue of the final residential Occupation Certificate.

Reason: To comply with Development control requirements.

Provision of Electricity Services

155. Submission of documentation confirming satisfactory arrangements have been made for the provision of electricity services to the building, from an approved electrical energy provider, prior to the issue of each Occupation Certificate.

Reason: To ensure appropriate electricity services are provided.

Energy Star Ratings

156. Prior to the issue of any Occupation Certificate for self-contained dwellings the Principal Certifying Authority is to ensure that all Fridges, Clothes Washers, Clothes Driers, Dishwashers and Air Conditioners have at least the Energy Star Rating as required by the BASIX certificate.

Reason: To ensure the Environmental Sustainability Commitments are met.

Facade Maintenance Plan

157. Prior to issue of any Occupation Certificate, a Façade Maintenance Plan and associated draft strata by-law are to be prepared which provides for the maintenance and cleaning of all building facades on an annual basis. Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To ensure the building is appropriately maintained.

Joinery in Windowless Rooms

158. The windowless rooms to the rear of the east facing 2-bedroom units on levels 20-27 (inclusive) must be fitted with storage joinery such that they cannot be used as bedrooms. Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the relevant Occupation Certificates.

Reason: To reduce the likelihood of the rooms being used as a bedroom.

Engineering

Reinstatement of Laybacks

159. 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 Certificates. All costs must be borne by the applicant.

Reason: To provide satisfactory drainage.

Construction of a Concrete Footpath

160. Proof of completion of footpath construction work shall be submitted to the satisfaction of Council prior to release of the final residential Occupation Certificate.

Reason: To provide pedestrian passage.

Work-as-Executed Plan

161. Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to the issue of the relevant Occupation Certificates, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The person issuing the Occupation Certificate(s) shall ensure that the following documentation is completed and submitted

- a. 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.
- b. The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.

- c. The “As-built” On-Site Detention (OSD) storage volumes are to be presented in a tabular form using the pyramid volume and prismatic volume calculation method.
- d. OSD WAE Survey certification form and WAE dimensions form (Form B10 and attachment B. Refer to UPRCT Handbook).
- e. Certificate of Hydraulic Compliance (Form B11) from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- f. Approved versus installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- g. Structural Engineer’s Certificate for the OSD tank structure, basement pump out tank structure, OSD basin (retaining) wall etc.

A set of the documents shall also be submitted to Council.

Reason: To ensure works comply with approved plans and adequate information are available for Council to update the Council’s Record.

OSD Positive Covenant/Restriction

162. Prior to the issue of the relevant Occupation Certificate(s) or Subdivision 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 owners with the requirement to maintain the on-site stormwater detention facilities, basement pump system and the WSUD devices on the lot.

Where a Title exists, the Positive Covenant / Restriction on the Use of Land is to be created via an application to 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.

A letter from the manufacturer of the installed WSUD devices shall be provided to demonstrate that the final design of filtration chamber is consistent with the manufacturer design guidelines.

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, childproof lock for rainwater tank cover 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.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available on Council's website, under Development Forms. All Covenants / Restrictions created as part of this consent are to contain a provision that they cannot be released, varied or modified except with the written consent of the City of Parramatta Council. The terms are to be submitted to Council for approval prior to lodgement with NSW Land Registry Services.

Registered title documents showing the Covenants / Restrictions must be submitted to and approved by the Principal Certifying Authority prior to the relevant occupation or use of site.

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

Post-Construction Dilapidation Report

163. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to and approved by the Principal Certifying Authority (PCA) prior to issue of the final Occupation Certificate. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:
- (a) compare the post-construction dilapidation report with the pre-construction dilapidation report, and
 - (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
 - (c) carry out site inspection to verify the report and ensure that any damage to the public infrastructure as a result of the construction work have been rectified immediately by the developer at his/her cost.
 - (d) Forward a copy of the dilapidation report with the PCA's comparison and assessment review report to Council.

Reason: To establish the condition of adjoining properties prior building work and ensure any damage as a result of the construction works have been rectified.

Groundwater Reuse Equipment

164. The groundwater reuse equipment shall be installed and tested in accordance with the approved groundwater reuse schematic. Details demonstrating compliance are to be submitted to the satisfaction of Council's Manager Development and Traffic Services Unit prior to issue of the first Occupation Certificate.

Reason: To ensure that groundwater can immediately be reused on site.

Groundwater Reuse Positive Covenant And Restriction

165. A Groundwater Management System Maintenance schedule shall be created outlining maintenance requirements into perpetuity.

Reason: To ensure that the groundwater reuse and treatment system are appropriately maintained.

166. The applicant must create a Positive Covenant and Restriction on the Use of Land, prepared in accordance with Section 88E/88B of the Conveyancing Act 1919, burdening the owner of the allotment with the requirement to maintain the subsoil groundwater re-use system (including but not limited to tanks, meters, piping and pumping/treatment equipment). The following is required:

- (a) The terms of the instruments are to be to Council's satisfaction and based on Council's standard wording for 88E instruments.
- (b) The Groundwater Management System Maintenance schedule shall be referenced in the positive covenant.
- (c) Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principle Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To ensure that appropriate protective instruments are put in place for the groundwater reuse system.

167. The Certifying Authority is to be satisfied that all relevant approvals/licenses/obligations from Water NSW per the *Water Management Act 2000* have been attained. Further approvals/licenses/standards may apply. Nothing in this consent alleviates the requirement for the applicant/operator to comply with the relevant legislation.

Reason: To ensure compliance with the *Water Management Act 2000* and other relevant legislation.

Specialist Report Recommendation Compliance

168. Prior to the issue of each Occupation Certificate, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and the City of Parramatta, stating that all relevant works/methods/procedures/control measures/recommendations approved by Council in the specialist reports listed in Condition 1 have been implemented.

Reason: To demonstrate compliance with submitted reports.

Environmental Health

Commencement of Waste Collection Services

169. Prior to the issue of any non-residential Occupation Certificate, evidence that a waste collection service contractor has been engaged to service the non-residential uses on site shall be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To ensure a waste collection service is commenced at the time of occupation of the development.

Waste Storage Rooms

170. 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 Principal Certifying Authority prior to occupation of the premises.

Reason: To ensure appropriate waste storage facilities are provided for future occupants.

Waste Collection Easement

171. Prior to issue of an Occupation Certificate or Subdivision Certificate for any residential use on site, an easement for access and loading, under Section 88B of the Conveyancing Act 1919 must be created, allowing Council to collect waste and recycling from the loading dock.

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.

Where a Title exists, the easement on the Use of Land is to be created via an application to NSW Land Registry Services using Form 10.

The terms of the 88B Instruments are to be generally in accordance with Council's "standard terms" available on Council's website, under Development Forms. All easements created as part of this consent are to contain a provision that they cannot be released, varied or modified except with the written consent of the City of Parramatta Council. The terms are to be submitted to Council for approval prior to lodgement with NSW Land Registry Services.

Registered title documents showing the easements must be submitted to and approved by the Principal Certifying Authority prior to the relevant occupation or use of site.

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

Final Waste Inspection

172. Prior to issue of an Occupation Certificate for any residential use on site, a final inspection of the residential waste storage areas, facilities and associated vehicle access must be undertaken by a member of Council's Waste Team to ensure compliance and to discuss the necessary arrangements for bin supply and commencement of services. Written confirmation of the waste facility approval from Council shall be submitted to the Principal Certifying Authority before the issue of any Occupation Certificate.

Reason: To ensure appropriate waste services are provided to occupants.

Waste By-Law

173. Prior to the issue of any Occupation Certificate, a draft strata by-law with the insertion of waste specific by-laws is to be provided to Council's Waste Service Team. The waste specific by-laws can be provided by Council's Waste Service Team.

Reason: To ensure that appropriate waste collection facilities are adequately managed by the authorised representatives and occupants of the building and to ensure no waste activities generated on site is placed on public land.

Lock box

174. Prior to the issue of any Occupation Certificate, a waste lockbox is to be purchased from Council and installed in an agreed location between Council and the applicant. The location can be determined during onsite inspection by Council's Waste Service Team.

Reason: To ensure appropriate access for waste collection

Waste Management

175. Prior to issue of the relevant Occupation Certificate(s) the Principal Certifying Authority is to be satisfied that the following elements of the approved Waste Management Plan have been implemented:

- a) The garbage (chute) rooms and waste storage rooms at the ground level must include water or a hose for cleaning, graded floors with drainage to sewer, a robust door, sealed and impervious surface, adequate lighting and ventilation, and must be lockable. The sizing of such rooms must be in accordance with the approved Waste Management Plan.
- b) A report(s) must be prepared by a registered surveyor and submitted to the Principal Certifying Authority prior to the issue of the relevant Subdivision/Occupation Certificate(s), certifying that the finished access way (including ramp, loading bay and site entry/exit) to be used by waste collection vehicles, complies with Australian Standard AS2890.2-2002 Parking Facilities Part 2: Off-street Commercial Vehicle Facilities for large rigid vehicles.
- c) The bin carting routes must be devoid of any steps. Note: Ramps between different levels are acceptable.
- d) "No Parking" signs must be installed to prevent cars parking in the loading bay.
- e) The 4.0 metre vertical clearance height within the truck travel path must not be reduced by ducting, lights, pipes, roller doors or anything else.
- f) Access to the automatic waste volume handling equipment by unauthorised persons (including residents and waste collectors) must be prevented.

Reason: To ensure provision of adequate waste storage arrangements.

Public Domain

Public Domain Works-as-Executed

176. 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 with a final approval obtained from Council's Assets & Environment Manager.

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

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

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

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

Sydney Water

Section 73 Certificate

177. A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water.

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Application must be made through an authorised Water Servicing Coordinator. For help either visit www.sydneywater.com.au > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

If you require any further information, please contact *Growth Planning and Development* on urbangrowth@sydneywater.com.au.

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

Trade Wastewater Requirements

178. If this development is going to generate trade wastewater, the property owner must submit an application requesting permission to discharge trade wastewater to Sydney Water's sewerage system. You must obtain Sydney Water approval 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.

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

Traffic

Exclusion from Parking Permits

179. Prior to issue of an Occupation Certificate or Subdivision Certificate for any residential use, 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(s) with disqualification from participation in any existing or future City of Parramatta Council on-street resident parking permit scheme.

Where a Title exists, the Positive Covenant / Restriction on the Use of Land is to be created via an application to NSW Land Registry Services using forms 13PC and 13RPA.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available on Council's website, under Development Forms. All Covenants / Restrictions created as part of this consent are to contain a provision that they cannot be released, varied or modified except with the written consent of the City of Parramatta Council. The terms are to be submitted to Council for approval prior to lodgement with NSW Land Registry Services.

Registered title documents showing the Covenants / Restrictions must be submitted to and approved by the Principal Certifying Authority prior to the relevant occupation or use of site.

Reason: To reduce demand on on-street car parking.

Car Share

180. The Applicant shall provide written evidence to Council's DTSU Manager, prior to release of any residential Occupation Certificate, demonstrating that at least **one (1)** car share parking space has been offered to all car share providers operating in Sydney together with the outcome of the offers or a letter of commitment to the service.

Reason: To comply with Council's parking requirements.

Car Share Spaces Protected

181. Prior to the issue of any residential 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 provide and maintain **one (1)** car share parking space on the lot and provide public access to the space.

Where a Title exists, the Positive Covenant / Restriction on the Use of Land is to be created via an application to 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.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available on Council's website, under Development Forms. All Covenants / Restrictions created as part of this consent are to contain a provision that they cannot be released, varied or modified except with the written consent of the City of Parramatta Council. The terms are to be submitted to Council for approval prior to lodgement with NSW Land Registry Services.

Registered title documents showing the Covenants / Restrictions must be submitted to and approved by the Principal Certifying Authority prior to the relevant occupation or use of site.

Reason: To ensure the availability of these spaces for car share operators.

Car Share as Common Property

182. Prior to issue of any Subdivision Certificate, the Certifying Authority is to ensure that the **one (1)** car share parking space is included within common property on the site. The space is not to be sold for use as, leased for use as, or used as, residential occupant spaces.

Reason: To ensure the ongoing availability of these facilities.

Green Travel Plan

183. Prior to the issue of the relevant Occupation Certificate(s), an updated Green Travel Plan supported by details of how that Plan will be implemented, based on the Green Travel Plan Ref: 21111 Rev: 2 by The Transport Planning Partnership dated 18/11/22 is to be submitted to and approved by Council's

DTSU Manager. The plan is to include:

- a) Targets to reduce single occupant car trips to and from the site for the journey to work and business travel based on an initial estimate of the number of trips to and from 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.

The Principal Certifying Authority is to be satisfied that the facilities provided on site are in accordance with the recommendations of the Green Travel Plan as approved.

Reason: To discourage trips by private vehicle and encourage trips by public transport, walking and cycling.

Car Parking & Driveways

184. Car parking area and internal accessways must be constructed, marked and signposted in accordance with AS2890.1 –2004 'Off Street Car Parking Facilities', AS2890.2:2018, AS2890.3:2015 and AS2890.6:2022 prior to issue of the relevant Occupation Certificate(s).

Reason: To ensure appropriate car parking, loading facilities and bicycle storage facilities.

Trees and Landscaping

Landscape Certification

185. A qualified Landscape Architect 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 the relevant Occupation Certificate(s).

Reason: To ensure restoration of environmental amenity.

PART F – OCCUPATION AND ONGOING USE

Planning

Signage Consent

186. No advertisement or signage shall be erected on, or in conjunction with the development without prior consent. No digital displays are to be installed behind the shop display or otherwise.

Reason: To comply with legislative controls.

Shopfront Appearance

187. Roller shutters are not to be placed over any external door or window of the premises.

Reason: To provide an appropriate streetscape appearance.

Retail Operation

188. The hours of operation of the ground floor retail premises are restricted to 7:00am to 10:00pm daily, unless approved otherwise under a separate application.

Reason: To minimise the impact of the use on adjoining properties.

Servicing Hours

189. Commercial deliveries/servicing shall not occur between the hours of 7:00pm and 7:00am daily unless otherwise approved by Council.

Reason: To protect the amenity of the area.

Goods Not to be Displayed Outside Premises

190. No goods are to be stored/displayed outside the walls of the building.

Reason: To ensure visual amenity.

Graffiti Management

191. 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.

Façade Maintenance Plan

192. The façade maintenance plan is to implemented in perpetuity.

Reason: To ensure the building is appropriately maintained.

Engineering***Ongoing Groundwater Reuse***

193. All pumped or otherwise retrieved groundwater shall be treated and disposed / reused on site, in perpetuity, in accordance with the Groundwater Management Plan prepared during the work and approved by Council's Manager Development and Traffic Services. All other works/methods/procedures/control-measures/recommendations in the Plan shall be implemented at all times.

Pumped or otherwise retrieved groundwater shall not be disposed of to any private or Council owned stormwater system.

Reason: To ensure the groundwater is adequately treated and is not disposed of in Council's stormwater drainage system.

Groundwater Monitoring

194. During the first 6 months of groundwater pumping, the rate, quality and volume of groundwater pumping shall be monitored and recorded using industry accepted methodology and technology. A report, outlining the rate of groundwater pumping shall be provided to Council immediately after this 6 month period. The abovementioned monitoring shall continue for 18 months beyond the initial 6 months. A report, outlining the rate of groundwater pumping shall be provided to Council immediately after this 18 month period.

Reason: For Council to gather data on the rate of groundwater inflows in the area.

Environmental Health

Noise and Vibration Control

195. 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: Environmental Noise Control Manual, Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

Noise from Mechanical Equipment

196. 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.

Air Conditioners in Residential Buildings

197. The air conditioner/s must not:
- a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - (i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
 - (ii) before 7.00am and after 10.00pm on any other day.
 - b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those as specified in (1), which exceeds the background (LA90, 15 minute) by more than 5dB(A).

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

Reason: To prevent loss of amenity to the area.

Noise to Street

198. There are to be no external speakers or spruiking at the premises.

Reason: To prevent loss of amenity to the area.

Separate Waste Bins

199. Separate waste bins are to be provided on site for landfill and recyclable waste.

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

Waste Collection

200. All waste collection must occur on site (i.e. off-street).

Reason: To minimise impact on the road network.

Maintenance of Waste Storage Areas

201. 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.

Waste Storage

202. 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.

Amenity of Waste Storage Areas

203. All waste storage rooms/areas are to be fully screened from public view and are to be located clear of all landscaped areas, driveways, turning areas, truck standing areas and car parking spaces. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time.

Reason: To maintain the amenity of the area.

Putrescible Waste

204. 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.

Liquid and Solid Wastes

205. Liquid and solid wastes generated on site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 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).

Reason: To prevent pollution of the environment.

Trade Waste

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

Reason: To ensure compliance with Sydney Water's requirements and

protect the environment.

Waste Storage Area and Waste Management

207. The waste management on site must be in accordance with the following requirements:
- a) Site security measures implemented on the property, including electronic gates, must not prevent access to the bin room/collection point by waste removal services.
 - b) Site security measures be implemented to prevent access to the waste volume handling equipment by unauthorised persons including residents.
 - c) A site caretaker must be employed and be responsible for moving bins where and when necessary, washing bins and maintaining waste storage areas, ensuring the chute system and related devices are maintained in effective and efficient working order, arranging the prompt removal of dumped rubbish, and ensuring all residents are informed of the use of the waste management system (including clear labelling on each floor).
 - d) Council and/or its contractors must be issued with security access swipe cards/keys to access the nominated loading dock prior to the commencement of service.

Reason: To ensure provision of adequate waste disposal arrangements.

Public Domain

Maintenance of Public Domain Works

208. A one-year (52 weeks) maintenance period, from the date of issue of the final residential Occupation Certificate, is required to be carried out by the applicant for all the works constructed in the public domain.

A Landscape maintenance schedule prepared by a qualified Landscape Architect shall be submitted to Council, prior to the issue of the final residential Occupation Certificate, that specifies after Council's final approval who and how to maintain the public domain works during the 104 weeks.

Reason: To ensure the required public domain improvements are maintained.

Traffic

Residential Car Parking Operation

209. Car parking spaces allocated for residential occupants are not to be sub-leased to non-residents.

Reason: To minimise traffic impact.

Green Travel Plan - Review

210. One year from the issue of the final residential Occupation Certificate, and every year for 3 years thereafter, the applicant shall submit to Council's DTSU Manager a review of 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 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.

Reason: To ensure the effective management of the Green Travel Plan.

Green Travel Plan – Building Management Statement

211. The Green Travel Plan shall be incorporated into or annexed to any Building Management Statement in perpetuity.

Reason: To ensure implementation of the Green Travel Plan.

Green Travel Plan - Ongoing Use

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

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

Reason: To ensure implementation of the Green Travel Plan.

Car Share

213. 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. Car share parking space(s) shall be publicly accessible at all times, adequately lit and sign posted.

Reason: To comply with Council's parking requirements.

Direction of Travel

214. All vehicles are to enter and exit the site in a forward direction.

Reason: To ensure the safety of pedestrians and road users.

Trees and Landscaping

Maintenance of Site Works

215. All landscape works shall be maintained for a minimum period of two (2) years following the issue of the relevant Occupation Certificate(s), in accordance with the approved landscape plan and conditions

Reason: To ensure restoration of environmental amenity.

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,

A handwritten signature in black ink, appearing to read 'Darren Wan', written in a cursive style.

Darren Wan
Executive Planner