

APPENDIX 1 – DRAFT MODIFIED CONDITIONS OF CONSENT

PART A – GENERAL MATTERS

Planning

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 Plans prepared by Urban Link Architects (Project No. 2024-005)

Drawing No.	Issue	Plan Title	Date
A200	36	Ground Floor	01.05.2026
A201	36	Level 1	01.05.2026
A201-1	36	Level 2	01.05.2026
A202	36	Level 3	01.05.2026
A203	36	Level 4	01.05.2026
A206	36	Level 5-12 Plan	01.05.2026
A207	36	Level-13-20	01.05.2026
A207-1	36	Level 21-23	01.05.2026
A208	36	Level 24-30	01.05.2026
A209	36	Level 31	01.05.2026
A210	36	Level 32	01.05.2026
A211	36	Level 33 Plantroom Plan	01.05.2026
A212	36	Roof Plan	01.05.2026
A220	36	Accessible Rooms Layout	01.05.2026
A300	36	North East Elevation	01.05.2026
A301	36	North West Elevation	01.05.2026
A302	36	South West Elevation	01.05.2026
A303	36	South East Elevation	01.05.2026
A305	36	Section	01.05.2026
A405	31	Podium Façade Sections	05.05.2025
A407	31	Tower Sections	05.05.2025
A408	31	Tower Sections	05.05.2025
A409	31	Tower Sections	05.05.2025
A410	31	Tower Sections	05.05.2025
A411	31	Podium Façade Sections	05.05.2025
A510	31	Schedule of Finishes	05.05.2025
A511	31	Materials Board	05.05.2025
A700	31	Photomontage – View from North	05.05.2025
A701	31	Photomontage – View from East Street	05.05.2025

Landscape Plans prepared by Arcadia Landscape Architects

Drawing No.	Issue	Plan Title	Date
L-000	G	Cover Sheet	01.05.2026
L-400	G	Plant Schedule	01.05.2026
L-401	G	Softworks Plan – Ground Floor	01.05.2026
L-402	G	Softworks Plan – Level 4	01.05.2026
L-403	G	Softworks Plan – Level 32	01.05.2026
L-600	G	Landscape Typical Details	01.05.2026
L-700	G	Landscape Specification Notes	01.05.2026

Civil Plans prepared by goldfish & bay (Project No. 24001)

Drawing No.	Issue	Plan Title	Date
C001	P2	Legend of Symbols	10.12.2024
C101	P2	Ground Floor Stormwater Layout	10.12.2024
C600	P2	OSD1 Sections and Details	10.12.2024
C601	P2	OSD2 Sections and Details	10.12.2024
C602	P2	OSD Catchment Area	10.12.2024
C603	P2	Wind Driven Catchment Calculator	10.12.2024
C604	P2	Music Modelling	10.12.2024
C605	P2	Standard Sections	10.12.2024
C606	P2	Erosion and Sediment Control Plan	10.12.2024

Specialist Reports

Reference No.	Issue	Title	Prepared By	Date
240077	R1	Noise and Vibration Assessment	Pulse White Noise Acoustics	25.11.2024
DA-24019	D	Accessibility Compliance Report	Access Link Consulting	05.05.2025
24-019	B	Access Compliance Statement	Access Link Consulting	06.11.2025
1130475M	15	BASIX Certificate	SLR Consulting	11.05.2026
P223_520	3	BCA Design Assessment	DC Partnership	28.11.2024

Final Report	1	Rail Interface Report (Update)	Macroplan	13.12.2024
-	2	Co-living housing Plan of Management	Think Planners	11.11.2025
S0712	K	Waste Management Plan	Elephants Foot	10.06.2026
23450	1	S4.55 Traffic and Parking Assessment Report	Varga Traffic Planning	06.11.2025
-	1	Lift Traffic Analysis	Kone	27.11.2024
24/1012	E	Landscape DA Design Report	Arcadia	06.11.2025
0007098500	-	NatHERS Certificate	SLR Consulting	11.05.2026

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

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

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

Condition modified under DA/685/2024/A and DA/685/2024/B

Relationship with Base DA

2. This consent is to be read in conjunction with all conditions imposed under DA/716/2020 (as amended).

The relevant conditions of DA/716/2020 (as amended) must be addressed in any Construction Certificate, including but not limited to:

- The payment of any fees or contributions,
- Any requirements for earthworks/acid sulphate soils,
- Any requirements for contamination/remediation,
- Any requirements for waste management,
- The provision of public art,
- Design excellence requirements.

In addition, prior to the issue of any Construction Certificate in accordance with this consent, a notice of modification to development consent DA/716/2020, pursuant the requirements of Clause 67 of the Environmental Planning and Assessment Regulation 2021, must be lodged with Council which amends the conditions of DA/716/2020 such that there is no inconsistency with the development hereby approved.

A Construction Certificate for the proposed works can be issued once the consent authority has accepted the modification.

Reason: To ensure consistency between development consents.

Construction Certificate

3. 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.

~~Updated BASIX~~

- ~~4. Prior to the issue of any Construction Certificate, updated BASIX documentation is to be provided to the satisfaction of Council's Manager of Development Traffic Services Unit correcting the following:~~

- ~~• The NatHERS certificate for Unit 2904 omits the dining recess due to its variation from the typical floor plan.~~
- ~~• Many fixed glazings have been combined with operable awning windows without properly accounting for the fixed portion in the total operability on the certificates.~~
- ~~• Higher performance glazing has been applied to more apartments compared with the previous BASIX. These glazing requirements, together with all other BASIX commitments, must be clearly and consistently included on the stamped construction drawings.~~

~~**Reason:** To ensure the BASIX documentation reflects all changes made to the building during the assessment.~~

Condition deleted under DA/685/2024/A

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.

Design Architect

6. To ensure the design excellence quality of the development is retained:
 - a. The architectural design team of StudioSC Architects is to have direct involvement in the design documentation, contract documentation and construction stages of the project (including review and endorsement of architectural drawings prior to submission for construction certificate applications or future s4.55 modification applications).
 - b. The design architect's team is to have full access to the site and is to be authorised by the applicant to respond directly to Council officers where information or clarification is required in the resolution of any design issues throughout the life of the project.
 - c. Evidence of the design architect's team commission for the above is to be provided to the Council prior to release of any Construction Certificate.
 - d. The design architect's team of the project is not to be changed without the approval of the Council's Group Manager Development and Traffic Services (DTSU). Council's DTSU Manager will consider the advice of the Design Excellence Jury and/or Council's Design Excellence Team as part of their assessment.
 - e. The Principal Certifying Authority must be satisfied that the above requirements have been implemented.

Reason: To ensure the design quality excellence of the development is retained.

Endeavour Energy

7. The development is to comply with the requirements of Endeavour Energy issued to DA/716/2020 (as amended).

Reason: To ensure compliance with the requirements of Endeavour Energy are met.

Sydney Water

8. The development is to comply with the requirements of Sydney Water issued to DA/716/2020 (as amended).

Reason: To ensure compliance with the requirements of Sydney Water.

TfNSW/Sydney Trains

9. The development is to comply with the requirements of TfNSW/Sydney Trains issued to DA/716/2020 (as amended).

Reason: To ensure compliance with the requirements of TfNSW/Sydney Trains.

Equitable Access

10. Equitable access is required to the communal areas, rooms, retail and open spaces via compliant paths of travel.

Reason: To comply with accessibility requirements.

Environmental Health

Provide Waste Storage Room on Premises

11. A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) including:
- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types and bulky materials;
 - (b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
 - (c) The walls being cement rendered to a smooth, even surface and coved at all intersections;
 - (d) Cold water being provided in the room with the outlet located 1.5m above floor level to avoid damage and a hose fitted with a nozzle being connected to the outlet;
 - (e) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Reason: To ensure provision of adequate waste storage arrangements.

Amenity of waste storage areas

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

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

Separate Waste Storage and Handling

13. The waste handling, storage and collection systems for residential and commercial wastes are to be completely separate and self-contained, and designed in accordance with the City of Parramatta Waste Management Guidelines for New Developments. A caretaker is to be appointed by the managing body to be responsible for the management of all waste facilities.

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

Garbage Chutes

14. Any garbage chutes must be designed in accordance with the requirements of the Building Code of Australia and the NSW EPA's *Better Practice Guide for Resource Recovery in Residential Developments* (2019). Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.

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

Amenity of areas surrounding waste storage areas

15. 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.

Air Emissions

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

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

Soil and Water Management – Stockpiles

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

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

Nuisance Lighting

18. Any lighting on the site shall be designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads and to ensure no adverse impact on the amenity of the surrounding area by light overspill. All lighting shall comply with the Interim Australian Standard DR AS/NZS 4282:2018 The Control of the Obtrusive Effects of Outdoor Lighting.

Reason: To protect the amenity of the surrounding neighbourhood from the emission of light

Acoustic Report

19. The recommendations outlined in the acoustic report prepared by Pulse White Noise Acoustics; Noise and Vibration Assessment; report 240077 R1 dated: 25 November 2024 shall be incorporated into the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure a suitable level of residential amenity

PART B – PRIOR TO 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

Reflectivity to Rail Corridor

20. The design, installation and use of lights, signs, and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of the rail operator. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from TfNSW confirming that this condition has been satisfied.

Reason: To ensure that TfNSW requirements are met.

Delete Signage Zone

21. Prior to the issue of the relevant Construction Certificate, the applicant is to delete the signage zone located on the southwest elevation of the podium.

Plans are to be provided to the satisfaction of the PCA.

Reason: To clarify extent of approval.

Reinstate Bicycle Storage

- ~~21A. The void areas adjacent to the lifts in the entrance lobby on the ground floor are to be converted to a bike store capable of accommodating 14 additional bicycle parking spaces. Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to issue of the relevant Construction Certificate.~~

~~**Reason:** To ensure sufficient bicycle storage to service the development.~~

Condition inserted under DA/685/2024/A and deleted under DA/685/2024/B

Construction Drawing Review

22. Prior to the issue of each relevant Construction Certificate the applicant shall submit for approval by Council's Group Manager Development and Traffic Services (DTSU) the following:

- Construction architectural drawings including
 - key elevations,
 - partial plans and
 - partial sections (at 1:20 or 1:50) through external walls, balconies, pergolas, and other key external details
- Construction landscape drawings;
- Samples of all external materials, in particular the external glazing, façade detailing, and colour palette; and
- Revised 3D photomontages.

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

Where matters are identified which are not satisfactory, resolution shall be required prior to approval.

The development shall be completed in accordance with the stamped drawings approved to satisfy this condition.

Reason: To ensure the design quality excellence of the development is retained.

Building Work In Compliance With BCA

23. 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 and Assessment Act 1979, as amended and the Environmental Planning and Assessment Regulation 2021.

External Walls And Cladding Flammability

24. 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 Certificate(s) 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 appropriate building materials are utilised.

Adaptable Dwellings

25. At least 17 adaptable residential units shall be provided. Plans submitted with the relevant Construction Certificate(s) 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 appropriate designed.

Liveable Housing

26. At least 22 of the residential units shall be designed and fit-out to achieve the 'silver level' requirements as set out in the Liveable Housing Design Guidelines Details published by Liveable Housing Australia. Details shall be submitted to the satisfaction of the certifying authority prior to the issue of the relevant Construction Certificate(s).

Reason: To ensure study rooms are not converted to use as bedrooms.

Home Warranty Insurance

27. Residential building work, within the meaning of the Home Building Act 1989, must not be carried out unless the Certifying Authority for the development to which the work relates fulfils the following:

- (a) In the case of work to be done by a licensee under the Home Building Act 1989; has been informed in writing of the licensee's name and contractor licence number; and is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989, or
- (b) In the case of work to be done by any other person; has been informed in writing of the person's name and owner-builder permit number; or has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purpose of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

Reason: To comply with the Home Building Act 1989.

Location Of Plant

28. Prior to the issue of any Construction Certificate, the Certifying Authority must be satisfied that all plant and equipment is located within enclosed roof areas or plant rooms included on levels.

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.

Single Master Tv Antenna

29. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed to service each block in 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(s) to the satisfaction of the Certifying Authority.

Reason: To protect the visual amenity of the area.

Impact On Existing Utility Installations

30. Where work is likely to disturb or impact upon utility installations, (e.g. power pole, telecommunications infrastructure etc.) written confirmation from the

affected utility provider that they raise no objections to the proposed works must accompany the relevant application(s) 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.

Infrastructure & Restoration Administration Fee

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

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

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

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

Long Service Levy Payment

32. No Construction Certificate is to be issued unless the Certifying Authority is satisfied the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

Reason: To ensure that the levy is paid.

Monetary Contribution

33. A monetary contribution comprising **\$422,620.32** is payable to City of Parramatta Council in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979 and the City of Parramatta (Outside CBD) Development Contributions Plan 2021 Amendment 1. Payment must be made by direct bank transfer or credit/debit card only. Payment can be made by contacting Council's Customer Contact Centre on 1300 617 058.

Payments comprise of the following:

Contribution Type	Amount
Open space and outdoor recreation	\$274,646.74
Indoor sports courts	\$24,947.44
Community facilities	\$32,811.21
Aquatic facilities	\$7,646.89
Traffic and transport	\$78,486.68
Plan administration	\$4,081.36
Total	\$422,620.32

Timing of payment

The above contribution is to be paid to Council prior to the first construction certificate. Deferred payments of contributions will not be accepted, and requests for payment by multiple instalments will not be granted.

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

Therefore, please visit 'Live Contributions Fees' Register on the Council's Development Contributions webpage to confirm the amount payable prior to making payment.

The City of Parramatta (Outside CBD) Development Contributions Plan 2021 Amendment 1. can be viewed on Council's website at:

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

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

Condition modified under DA/685/2024/A

Monetary Contribution

- 33A. A monetary contribution comprising \$172,509.06 is payable to City of Parramatta Council in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979 and the City of Parramatta (Outside CBD) Development Contributions Plan 2021 Amendment 1. Payment must be made by direct bank transfer or credit/debit card only. Payment can be made by contacting Council's Customer Contact Centre on 1300 617 058.**

Payments comprise of the following:

Contribution Type	Amount
Open space and outdoor recreation	\$112,107.84
Indoor sports courts	\$10,183.27
Community facilities	\$13,393.18
Aquatic facilities	\$3,121.38
Traffic and transport	\$32,037.42
Plan administration	\$1,665.97
Total	\$172,509.06

Note. The contribution amount above is calculated on the basis of an exemption for 3 additional affordable housing units proposed under modification application DA/685/2024/B (2 x 1-bedroom units and 1 x 2-bedroom units).

Notwithstanding the above, and as anticipated by Condition 99, the total contribution amount will be reduced subject to the affordable

housing option chosen by the applicant under Condition 99. Should Option 99(a) be chosen, a credit will be applied for 9 additional affordable housing units (4 x 1-bedroom units and 5 x 2-bedroom units). Should Option 99(b) be chosen, a credit will be applied for 1 additional affordable housing unit (1 x 2-bedroom unit). If the net calculation is less than zero, a refund cannot be provided for contributions paid under Condition 33.

Timing of payment

The contribution is to be paid to Council prior to the first construction certificate, following selection by the applicant in writing to Council of the preferred affordable housing option under Condition 99 and confirmation in writing from Council of the reduced contribution requirement. Deferred payments of contributions will not be accepted, and requests for payment by multiple instalments will not be granted.

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

Therefore, please visit 'Live Contributions Fees' Register on the Council's Development Contributions webpage to confirm the amount payable prior to making payment.

The City of Parramatta (Outside CBD) Development Contributions Plan 2021 Amendment 1. can be viewed on Council's website at:

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

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

Condition inserted under DA/685/2024/B

Housing & Productivity Contribution

34. Before the issue of a Construction Certificate, the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$83,689.97
Total housing and productivity contribution	\$83,689.97

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order)*.

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

Reason: To require contributions towards the provision of regional infrastructure.

- 34A.** Before the issue of the relevant Construction Certificate, the additional housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and productivity contribution	Amount
Housing and productivity contribution (additional co-living units)	\$43,109.06
Total housing and productivity contribution	\$43,109,06

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024 (HPC Order)*.

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

Reason: To require contributions towards the provision of regional infrastructure.

Condition inserted under DA/685/2024/A.

- 34B. Before the issue of the relevant Construction Certificate, the additional housing and productivity contribution (HPC) set out in the table below, subject to any adjustments per the note below, is required to be made.

Housing and productivity contribution	Amount
Additional co-living GFA	\$3,120.24
Additional shop-top housing units	\$75,837.48
Total housing and productivity contribution	\$78,957.72

Note. The contribution amount above is calculated on the basis of an exemption for 3 additional affordable housing units proposed under modification application DA/685/2024/B. Notwithstanding the above, and as anticipated by Condition 99, the total contribution amount will be reduced subject to the affordable housing option chosen by the applicant under Condition 99. Should Option 99(a) be chosen, a credit will be applied for 9 additional affordable housing units. Should Option 99(b) be chosen, a credit will be applied for 1 additional affordable housing unit. If the net calculation is less than zero, a refund cannot be provided for contributions paid under Conditions 34 or 34A.

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering the *Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

Reason: To require contributions towards the provision of regional infrastructure.

Condition inserted under DA/685/2024/B

Security Bonds

35. In accordance with Section 4.17(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds payable to Council for the protection of the adjacent road pavement and public assets during construction works. The

bond(s) are to be lodged with Council prior to the issue of any application/approval associated with the allotment, (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate is not required.

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/685/2024;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Additional Bonds shall be provided as follows:

Bond Type
Development Sites Bonds and Bank Guarantee – (\$199,677.15 in 2025/2026 financial year)

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to City of Parramatta Council 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.

Condition modified under DA/685/2024/A and DA/685/2024/B

SEPP (Housing) Verification

36. Design Verification issued by a registered architect is to be provided with the relevant application(s) for a Construction Certificate detailing the construction drawings and specifications are consistent with the design quality principles in State Environmental Planning Policy (Housing) 2021. Alternative Compliance items which include Solar Access, Cross Ventilation, Deep Soil, and the Number of Apartments per core are to be included in Construction Certificate Documents in accordance with the Approved DA Design

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

Reason: To comply with the requirements of SEPP (Housing) 2021.

Broadband Access

37. Prior to the issue of the relevant Occupation Certificate, the developer is to provide evidence that satisfactory arrangements have been made with the National Broadband NBN Co have been made 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.

Storage Provision

38. Prior to the issue of the relevant Construction Certificate(s), the podium storage areas will be allocated to the applicable 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) Studio units – 4m³
- ii) 1 bedroom units – 6m³
- iii) 2 bedroom units – 8m³
- iv) 3 bedroom units – 10m³

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

Access And Services For People With Disabilities

39. Access and services for people with disabilities shall be provided to the 'affected part' of the building, in accordance with the requirements of the Access to Premises Standard 2010, and the National Construction Code 2013. Detailed plans, documentation and specification must accompany the relevant 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.

Specialist Reports

40. The works/methods/procedures/control-measures/recommendations in the specialist reports outlined in Condition 1 shall be incorporated into the plans and documentation accompanying the relevant 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.

Outdoor Lighting

41. 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 must be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate(s).

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.

Accessible Paths Of Travel

42. All dwellings and communal open spaces must be 'visitable' by people with a disability. There must be a continuous accessible path of travel (AS 1428.1:2001) from the street and any visitor parking to and through the entrance door of all dwellings. A continuous accessible path of travel shall be 1000 mm and the following shall not intrude into the minimum unobstructed width of a continuous accessible path of travel: - fixtures and fittings such as lights; awnings; windows that, when open, intrude into the circulation space; telephones; skirtings and similar objects.

Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate(s).

Reason: To maximise the accessibility of the proposal.

Accessible Features

43. Communal open spaces must provide accessible and inclusive features. Details demonstrating compliance are to be submitted to the satisfaction of the Certifying Authority prior to issue of the relevant Construction Certificate(s).

Reason: To maximise the accessibility of the proposal.

Environmental Health

Noise Management Plan – Construction Sites

44. 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.

Separate Recycling

45. Separate waste bins are to be provided on site for 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.

Landscaping

Final landscape Plan

46. The final Landscape Plan must be consistent with plans prepared by Arcadia rev **G** dated **01.05.2026**, together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:
- (a) Replace *Euphorbia 'Wulfenii'* with a non-toxic, suitable native alternative.
 - (b) All proposed softscape details to be provided.
 - (c) Details for all proposed hardscape structures to be provided.
 - (d) Ensure all proposed trees are planted at minimum distances of two (2) metres from any drainage line. The location of the trees within the planters are to be positioned with enough clearance from the adjacent retaining wall or paving edge to ensure the rootballs will not clash with the infrastructure. Council does not support root balls being 'cut to fit' a space.
 - (e) Trees should be self-supporting from the nursery. Delete the tree stake from the typical tree detail unless trees are to be planted into a wind-prone area.
 - (f) Trees on podium structure are to be secured using an under-ground guying system to avoid the visual clutter.
 - (g) Update the proposed plant schedule indicating the above changes, planting locations, species type (including both botanic / common name) mature dimensions, plant numbers and the size of the containers at planting.

Reason: To ensure restoration of environmental amenity.

Condition modified under DA/685/2024/A and DA/685/2024/B

Landscape Details

47. Plans and documents submitted must include the following changes with an application for a Construction Certificate:
- a) Construction details are to be provided by a suitably qualified Structural Engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens.
 - b) All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.
 - c) Any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect.
 - d) Soil volume, depth and soil area must meet the following prescribed standards in the Apartment Design Guide (ADG) – Part 4, 4P *Planting on Structures - Tools for improving the design of residential apartment development* (NSW Department of Planning and Environment, 2015):
 - Typical tree planting on structure detail to show overall 800-1200mm soil depth. (Soil Volume to be reflective of proposed tree species size)
 - Typical shrub planting on structure detail to show minimum 500-600mm soil depth,
 - Typical turf planting on structure to show minimum 200-300mm soil depth.
 - e) Sections through the planters supporting the trees and, OSD and on podium level are required to show the above requirements.
 - f) A landscape maintenance schedule is required to ensure all landscape areas are well maintained for a sufficient period of time (minimum 1 year)
 - g) A soil specification ('Fit-for-purpose' performance description) for imported soil types to ensure sufficient nutrient and water availability is achieved.
 - h) An Irrigation plan and specification must be provided by a suitably qualified Hydraulic Engineer.

Reason: To ensure the creation of functional gardens.

Stormwater

Final Stormwater Detail

48. The construction certificate application shall include a final detailed stormwater drainage plan and specifications suitable for construction, prepared by a qualified and experienced stormwater drainage consultant. The final plan shall be in accordance with the abovementioned stormwater plan and shall comply with City of Parramatta Stormwater Disposal Policy, the

BASIX requirements and with AS 3500. The plans shall in particular include the following;

- Appropriate measures shall be implemented to ensure the OSD tanks can be accessed and maintained in accordance with AS3500

Reason: To ensure satisfactory stormwater disposal.

Sydney Water Tap In

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

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

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

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

Dial Before You Dig

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

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

Support Council Property

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

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

Reason: To protect Council's infrastructure.

Driveway Grades

52. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 to prevent the underside of the vehicles scraping.

Where the geometric change in grade exceeds 18%, the gradients of the driveway and ramps shall be checked using the method at Appendix C in AS2890.1:2004 and adjustments will be made to accommodate suitable transition lengths. Details are to be provided with the application for a Construction Certificate.

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

Traffic

Compliance with Australian Standards

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

Reason: To ensure appropriate vehicular manoeuvring is provided.

Bicycle Parking

54. A minimum **49** bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

Condition modified under DA/685/2024/B

Car Parking

55. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS 2890.2 and AS 2890.6. A maximum of 64 parking spaces are to be provided and be allocated as follows:

- (a) 52 parking spaces for residential units;
- (b) Eight (8) parking spaces for residential visitors
- (c) Two (2) parking space for retail tenancies.
- (d) One (1) car wash bay.
- (e) One (1) car share space;

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

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

Condition modified under DA/685/2024/A

Driveway Amendment

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

If a splay is unable to be provided due to conflict with neighbouring private property, alternate mitigation measures such as convex mirrors in combination with speed humps is to be provided within the development site.

Details are to be shown on plans to the satisfaction of the PCA.

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

Motorcycle Parking

57. Three (3) motorcycle spaces are to be provided on-site and used accordingly. The dimensions of the motorcycle spaces are to comply with Clause 2.4.7 and Figure 2.7 of AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

Car Share

58. 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.

If one or more car share provider accepts the applicant's offer of car share space, the car share space 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.

Car Share Spaces Protected

59. 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

60. Prior to issue of any Strata 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.

Control Point

61. The control point at the car park entrance is to be located where adequate queuing length between the vehicular control point and the property boundary is provided in accordance to Clause 3.4 of AS 2890.1-2004 to allow free influx of traffic which will not adversely affect traffic or pedestrian flows in the frontage road. Details are to be submitted to Council to the satisfaction of Council's Traffic and Transport Manager prior to the issue of the relevant construction certificate.

Reason: To comply with Australian Standards.

Construction and Pedestrian Traffic Management Plan

62. Prior to the issue of any Construction Certificates, 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 CPTMP must be approved by Council prior to any works commencing and must be complied with at all times including any additional conditions imposed by Council and/or TfNSW in the approval of the plan.

In preparing the CPTMP, the following matters, but not limited to, must be specifically addressed:

- 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 a 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, trade person and construction vehicles as far as 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. The approved route must be adhered to at all times and trucks associated with the development must not use other local roads within the City of Parramatta LGA that have not been nominated, without prior approval from Council's Traffic and Transport Services.
- 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 Granville in the vicinity of the site. Should any impacts be identified, the duration of the impacts and any measures to be taken to mitigate against such impacts to preserve traffic flow and amenity,
- o) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified, and,
- 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,
- 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.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

Planning

Appointment Of PCA

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

The Principal Certifying Authority must determine and advise the person

having the benefit of the Construction Certificate when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

Enclosure Of The Site

64. 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

65. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98A(2) of the Environmental Planning and Assessment Regulations 2000 detailing:

- (a) Unauthorised entry of the work site is prohibited;
- (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- (c) The name, address and telephone number of the Principal Certifying Authority;
- (d) The development consent approved construction hours;

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.

Reason: Statutory requirement.

Toilet Facilities On Site

66. 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

67. 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 re being undertaken.

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

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

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

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

Dilapidation Survey & Report For Private Properties

68. Prior to the commencement of any excavation works on site, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) 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. A copy of the dilapidation report must be submitted to Council.

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.

Survey Report

69. 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.

Environmental Health

Updated Waste Management Plan

70. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:
- (a) expected volumes and types of waste to be generated during the demolition and construction stages of the development;

- (b) destination of each type of waste, including the name, address and contact number for each receiving facility.
- (c) Details of how this waste will be re-used on site, recycled and/or disposed of off site;
- (d) Details of how waste will be managed on site during construction (e.g. staff training, part of sub-contractor agreement, etc);

You are also required to indicate the location of the waste storage area/s during construction on the plans.

To address this issue, please complete Council's standard Waste Management Plan that can be downloaded from the Council's website (www.parracity.nsw.gov.au).

The Waste Management Plan is to be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of any works on site.

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

Traffic

Road Occupancy Permit

71. 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

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

Reason: To ensure maintenance of Council's assets.

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

Planning

Copy Of Development Consent

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

Reason: To ensure compliance with this consent.

Hours Of Work And Noise

74. All work including building, and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools, machinery etc.) in connection with the proposed development must only be carried out between the hours of 7.00am and 5.00pm on Monday to Fridays inclusive, and 8.00am to 5.00pm on Saturday. No work is to be carried out on Sunday or public holidays.

Reason: To protect the amenity of the area.

Complaints Register

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

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

The complaints register must be made available to Council and/or the principal certifying authority upon request.

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

Site Maintenance

76. 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.

Record Of Inspections Carried Out

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

Reason: To comply with stator requirements.

Damage To Public Infrastructure

78. 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.

BASIX Compliance

79. 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 EP&A Regulation 2021).

Environmental Health

Waste Data File

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

Reason: To confirm waste minimisation objectives under Parramatta DCP 2023 are met.

Dust Control Measures

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

Reason: To protect the amenity of the area.

Landscaping

Minimum Tree Container Size

82. All trees supplied above a 25L container size must be grown in accordance with AS2303:2015 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2015. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.
- Reason:** To minimise plant failure rate and ensure quality of stock utilised.

Adequate Root Volume for Trees

83. All trees/shrubs planted within the site must be of an adequate root volume and maturity so as not to require staking or mechanical support unless in a wind-prone area. Planting must be carried out in accordance with the approved Landscape Plan and conditions of consent.
- Reason:** To ensure the trees/shrubs planted within the site are able to reach their required potential.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

Planning

Occupation Certificate

84. Occupation or use of the buildings or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.
- Reason:** To complying with legislative requirements of the Environmental Planning and Assessment Act 1979.

Satisfaction of DA/716/2020

85. Prior to the issue of any Occupation Certificate, the Principal Certifying Authority is to ensure all conditions of DA/716/2020 (as modified) have been satisfied.
- Reason:** To ensure the base building has been developed in accordance with the approved plans.

Verification Statement OC Stage

86. Design Verification issued by a registered architect is to be provided with each application for an Occupation Certificate 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 Schedule 9 of State Environmental Planning Policy (Housing) 2021 – Chapter 4 Design Quality of Residential Flat Development.

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

Reason: To comply with the requirements of SEPP (Housing) 2021.

Street Numbering

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

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 Number When Site Readily Visible Location

88. A street numbers are to be placed on each building in a readily visible location from a public place prior to the issue of each Occupation Certificate. The numbers are to have a minimum height of 75mm.

Reason: To ensure a visible house number is provided.

BASIX Compliance

89. Under Clause 27 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. **1130475M_15** (or as updated), will be complied with prior to occupation.

Reason: To comply with legislative requirements of Clause 27 of the Environmental Planning & Assessment Regulation 2021.

Condition modified under DA/685/2024/A and DA/685/2024/B

Section J Compliance

90. The co-living housing portion of the development is to comply with the requirements of Section J of the BCA.

Reason: To ensure compliant energy efficiency for the Co-Living Portion of the development.

Telecommunications Services

91. The developer must submit to the Principal Certifying Authority a letter from the telecommunications company confirming satisfactory arrangements have been made for the provision of telephone and cable television services, prior to the release of or issuing of each Occupation Certificate.

Reason: To ensure provision of appropriately located telecommunication facilities.

Provision Of Endeavour Energy Services

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

Reason: To ensure appropriate electricity services are provided.

The Release Of Bond(S)

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

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

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

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

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

Adaptable Dwellings

94. Certification must be provided prior to the issue of each Occupation Certificate that the required adaptable dwellings 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.

Liveable Housing

95. Confirmation that **22** units comply with the Liveable Housing Guidelines Silver Level design feature is to be prepared by a suitably qualified consultant and submitted to the Certifying Authority prior to the issue of each Occupation Certificate.

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

Condition modified under DA/685/2024/B

Certification – Fire Safety

96. Prior to the issue of each Occupation Certificate, a final fire safety certificate must be issued as required by Clause 62 of the Environmental Planning and Assessment Regulation 2021.

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

Post-Construction Dilapidation Report

97. 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.

Condition modified under DA/685/2024/B

Specialist Reports

98. 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 Council, stating that all relevant works/methods/procedures/control measures/recommendations approved by Council in the specialist reports listed in Condition 1 have been implemented in the development.

Reason: To demonstrate compliance with submitted reports.

Affordable Housing Covenant

99. Prior to the issue of the relevant Occupation Certificate for the development, evidence must be provided to Council that the title to the development lot contains at least **one of the following affordable housing options:**

a) 36 dwellings burdened by a public positive covenant to be affordable for a minimum of 15 years pursuant to section 88E of the Conveyancing Act 1919. The **36 dwellings** are to be nominated on the plans and comprise a unit mix of **18 x 1 bedroom units** and **18 x 2 bedroom units;**
or

b) 24 dwellings (12 x 1 bedroom units and 12 x 2 bedroom units) burdened by a public positive covenant to be affordable for a minimum of 15 years and **4 dwellings (2 x 1 bedroom units and 2 x 2 bedroom units)** burdened by a public positive covenant to be affordable in perpetuity, pursuant to section 88E of the Conveyancing Act 1919.

The option must be selected by the applicant in writing to Council prior to the first Construction Certificate in order to inform the reduction in contributions required under Conditions 33A and 24B. Following the applicant's selection, Council is to acknowledge the selection in writing and confirm the reduced contribution rate in writing. After the first Construction Certificate is issued, the selected option cannot be changed.

For the purposes of this condition, affordable housing is as defined within the Environmental Planning and Assessment Act 1979.

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

Reason: To ensure that the approved Affordable Housing is delivered and operated **for the required time**.

Condition modified under DA/685/2024/B

Waste Covenant

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

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

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

Reason: To ensure Council is able to undertake waste collection.

Design Excellence Integrity Report

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

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

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

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

Reason: To ensure the proposal achieves design excellence.

Strata Subdivision Certificate

102. A separate application must be made to Council or the Principal Certifying Authority to obtain approval of the strata plan under section 37 of the Strata Schemes (Freehold Development) Act 1973. The linen plan must not be issued until a final occupation certificate has been issued.

Reason: To comply with the *Strata Schemes (Freehold Development) Act 1973*.

Residential Access to Communal Facilities

103. 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 reciprocal right of ways, benefitting all residential and co-living occupiers, over all bicycle parking located on the ground floor and podium parking levels, as well as the Level 4 and Level **32** communal living rooms and communal open spaces to ensure equitable access to the listed facilities.

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 easements 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 that residents have access to communal facilities.

Condition modified under DA/685/2024/A and DA/685/2024/B

Environmental Health

Residential Apartment Noise Attenuation

104. The design and construction of the project is required to be undertaken such that the following minimum requirements are achieved:
- All requirement of the National Construction Code and Building Code of Australia requirements.
 - All floors separating sole occupancy units shall have a weighted standardised impact sound pressure level $L'_{nT,w}$ not more than 55dB when measured in-situ in accordance with AS ISO 140.7-2006 "Field measurements of impact sound insulation of floors" and rated to AS ISO 717.2-2004 "Rating of sound insulation in buildings and of building elements. Part 2: Impact sound insulation". This clause shall not apply to the floor of a kitchen, bathroom, toilet or laundry in a residential sole occupancy unit.
 - A statement from an appropriately qualified acoustical consultant eligible for membership of the Association of Australian Acoustic Consultants, certifying that the acoustic mitigation measures outlined above have been satisfied, must be submitted to the Certifying Authority for approval prior to the issue of any Occupation Certificate.

Reason: To comply with best practice standards for residential acoustic amenity.

Ventilation

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

Reason: To ensure compliance with BCA requirements.

Acoustic Certification

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

Pulse White Noise Acoustics; Noise and Vibration Assessment; report 240077 R1 dated: 25 November 2024.

Reason: To demonstrate compliance with submitted reports.

Landscaping

Landscape Certification

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

Reason: To ensure restoration of environmental amenity.

PART F – OCCUPATION AND ONGOING USE

Planning

Rooftop Cooling

108. Where the rooftop is not used for Communal Open Space, vegetation of solar panels, the material will be required to have a minimum Solar Reflectivity Index of 82.

Reason: To comply with the requirements of PDCP2023.

Low Level Thresholds

109. Low level thresholds are required to provide access to all the outdoor areas including the retail tenancies.

Reason: To comply with the required accessibility requirements.

Accessible Friendly Furniture

110. The communal spaces, rooms and pocket park will require suitable accessible, inclusive features/furniture.

Note: AS1428.2 provides guidance on accessible furniture including, reach ranges and varying heights of tables and seats with back and arm rests etc.

Reason: To comply with the required accessibility requirements.

Use of Co-living Housing

111. The provided accommodation located between Levels 4-12 of the building must be used for co-living housing as defined in the Parramatta Council Local Environmental Plan 2023, and not for the purposes of a hotel, motel, serviced apartments, private hotel, tourist accommodation or the like.

Reason: To ensure the development operates as a co-living housing development.

Condition modified under DA/685/2024/A

No Short Term or Share Accommodation

112. The owner and/or their representative such as an agent are not permitted to advertise or organise for short term or share accommodation in the part of the building approved to be used for co-living housing.

Reason: To ensure the development operates as a co-living housing development.

Maintenance of Computer Records

113. The Property Management Company operating the co-living housing portion of the development shall maintain a computer record of all residents with details of their names, length of stay, number of persons in each room, and that such record shall be retained for two years for inspection on demand by

Council Officer any other regulatory authority.

Reason: To ensure that appropriate records are kept.

Plan of Management

114. The Property Management Company operating the co-living housing portion of the development must operate the premises in accordance with the approved Plan of Management at all times. Any variation to the Plan of Management may only be made with the written consent of Council.

Reason: To ensure the boarding house operates appropriately.

Compliance with House Rules

115. All residents of the co-living housing portion of the development are to sign a lease or licence agreeing to comply with the House Rules, with the length of the lease to be determined by the management on the explicit understanding that accommodation is not to be provided on a temporary basis to persons on recreational pursuits. The length of lease or licensing agreement shall be no less than a term of three months.

Reason: To ensure that appropriate records are kept and to ensure that the use of the premises remains as a boarding house.

Availability of House Rules

116. A copy of the House Rules shall be placed in prominent locations on the site, including in all communal areas and behind doors in bedrooms, in order to familiarise residents of the co-living housing portion of the development with acceptable activities.

Reason: To ensure that residents of the boarding house are familiar with the local house rules.

Notification of Variations

117. Any variation to the on-site management to the co-living housing portion of the development is to be carried out with prior approval from Council by way of a formal application to amend the Conditions of Consent.

Reason: To ensure the development operates in accordance with the approved consent.

Occupancy Rate

118. The co-living housing portion of the development is to accommodate no more than **262** total lodgers at any one time, and no more than 2 in any one room.

Reason: To ensure proper management of the premises.

Condition modified under DA/685/2024/A and DA/685/2024/B

Co-living Manager

119. A managers workspace located within the communal living area on the ground level is to be provided and maintained.

Reason: To comply with the requirements of SEPP (Housing) 2021

Condition modified under DA/685/2024/A

Co-Living Room Facilities

120. The proponent shall also ensure that each room of the co-living housing portion of the development is provided with the following basic facilities:
- a) Mirror;
 - b) Table & chair;
 - c) Small bar fridge;
 - d) A night light or other approved illumination device for each bed;
 - e) Waste container;
 - f) An approved latching device on the door;
 - g) Curtains, blinds or similar privacy device; and
 - h) A bed.

Reason: To ensure tenant amenity.

Co-Living Amenity

121. The individual rooms and common areas of the co-living housing portion of the development are to be maintained in a clean and tidy state.

Reason: To ensure proper management of the premises.

Fire Safety

122. No fire, candles or naked flames are permitted within individual rooms of the co-living portion of the development - this includes smoking.

Reason: To ensure fire safety.

No Strata subdivision

123. No strata subdivision of the co-living housing units into individual lots is permitted.

Reason: To ensure the co-living housing portion of the development operates in accordance with the definition of co-living housing under Parramatta Local Environmental Plan 2023.

Contact Information

124. A list of contact details must be clearly displayed within the common areas including the contact details for: the managing agent of the co-living housing development; emergency services including fire, ambulance and police; utilities such as gas, electricity, water and any approved emergency repair persons such as a plumber, electrician etc.

Reason: To ensure the amenity of tenants.

Environmental Health

Acoustic Amenity

125. The use of the premises not giving rise to:
- (a) transmission of unacceptable vibration to any place of different occupancy,

- (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

No live music

126. No live music or entertainment shall be provided within the premises.

Reason: To protect the amenity of the surround neighbourhood.

No Offensive Noise

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

Reason: To reduce noise levels.

No External Speakers

128. There are to be no external speakers at the premises.

Reason: To prevent loss of amenity to the area.

Air Conditioning Amenity

129. 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.

Waste Storage Amenity

130. 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.

Bin Amenity

131. 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.

Trade Waste

132. 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.

Graffiti Removal

133. 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.

Regular Waste Removal

134. 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

Trade Waste Agreement

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

Reason: To ensure proper disposal of waste water.

Landscaping

Maintenance of Landscaping

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

Reason: To ensure restoration of environmental amenity.

Traffic

Roller Shutter Door

137. If a roller shutter door is to be provided at the driveway entry and exit from **East Street**, it is to be operated via remote control. If an intercom is installed, it is to be provided at the centre of the driveway (not attached on the wall) to the carpark in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.

Reason: To comply with Council requirements.

Condition modified under DA/685/2024/B