

## ATTACHMENT 1 – DRAFT REVISED CONDITIONS OF CONSENT

### 1. *Approved plans and Supporting Documentation*

The development must be carried out in accordance with the plans and documentation listed below, (as amended in **bold**) and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

#### Architectural Plans

Plan No.	Issue	Plan Title	Drawn by	Dated
DA0003	J	Context Plan – Temporary Access Solution	Architectus	26/06/2017
DA0010	G	Existing Site Plan	Architectus	03/02/2017
DA0011	H	Demolition Plan	Architectus	05/06/2017
DA0013	G	Site Analysis	Architectus	03/02/2017
DA0020	<del>F</del> <b>G</b>	Proposed Building Separation Setbacks	Architectus	<del>05/06/2017</del> <b>26/04/2019</b>
DA1000	<del>P</del> <del>R</del> <b>S</b>	Basement 4 Plan	Architectus	<del>05/06/2017</del> <del>31/10/2018</del> 13/12/2018
DA1001	<del>P</del> <del>R</del> <b>S</b>	Basement 3 Plan	Architectus	<del>05/06/2017</del> <del>31/10/2018</del> 13/12/2018
DA1002	<del>Q</del> <del>S</del> <b>T</b>	Basement 2 Plan	Architectus	<del>05/06/2017</del> <del>31/10/2018</del> 13/12/2018
DA1003	<del>T</del> <del>U</del> <b>V</b>	Basement 1 Plan	Architectus	<del>05/06/2017</del> <del>31/10/2018</del> 13/12/2018
DA1004	<del>CC</del> <del>EE</del>	Ground Floor Plan/Site Plan	Architectus	<del>05/06/2017</del> <b>07/08/2019</b>
DA1005	<del>T</del> <b>U</b>	Level 1 Floor Plan	Architectus	<del>18/12/2017</del> <b>26/04/2019</b>
DA1006	<del>P</del> <b>R</b>	Levels 2-3 Floor Plan	Architectus	<del>05/06/2017</del> <b>08/08/2019</b>
DA1007	<del>F</del> <b>H</b>	Level 4 Floor Plan	Architectus	<del>05/06/2017</del> <b>08/08/2019</b>
DA1008	<del>F</del> <b>H</b>	Level 5-7 Floor Plan	Architectus	<del>05/06/2017</del> <b>08/08/2019</b>
DA1009	<del>P</del> <b>R</b>	Level 8 Floor Plan	Architectus	<del>21/02/2018</del> <b>08/08/2019</b>
DA1010	<del>R</del> <b>T</b>	Level 9 Floor Plan	Architectus	<del>13/12/2017</del> <b>08/08/2019</b>

Plan No.	Issue	Plan Title	Drawn by	Dated
DA1011	<del>R</del> T	Level 10 Floor Plan	Architectus	<del>13/12/2017</del> 08/08/2019
DA1012	<del>R</del> T	Level 11-15 Floor Plan	Architectus	<del>13/12/2017</del> 08/08/2019
DA1013	<del>N</del> P	Level 16 Floor Plan	Architectus	<del>13/12/2017</del> 08/08/2019
DA1014	<del>R</del> T	Level 17 Floor Plan	Architectus	<del>13/12/2017</del> 08/08/2019
DA1015	<del>R</del> T	Level 18 Floor Plan	Architectus	<del>13/12/2017</del> 08/08/2019
DA1016	<del>R</del> T	Level 19 Floor Plan	Architectus	<del>13/12/2017</del> 08/08/2019
DA1017	<del>R</del> T	Level 20-21 Floor Plan	Architectus	<del>13/12/2017</del> 08/08/2019
DA1018	<del>Q</del> Q	Level 22 Floor Plan	Architectus	<del>05/06/2017</del> 08/08/2019
DA1019	<del>Q</del> Q	Level 23 Floor Plan	Architectus	<del>05/06/2017</del> 08/08/2019
DA1020	<del>N</del> P	Level 24 Floor Plan	Architectus	<del>05/06/2017</del> 08/08/2019
DA1021	L	Level 25-26 Floor Plan	Architectus	05/06/2017
DA1022	<del>E</del> F	Level 27 Floor Plan	Architectus	<del>05/06/2017</del> 26/04/2019
DA1023	<del>E</del> F	Level 28 Floor Plan	Architectus	<del>05/06/2017</del> 26/04/2019
DA1024	<del>J</del> K	Roof Plan	Architectus	<del>05/06/2017</del> 26/04/2019
DA1110	<del>N</del> O	Tower 1 Level 1	Architectus	<del>05/06/2017</del> 26/04/2019
DA1111	<del>P</del> Q	Tower 1 Levels 2-3	Architectus	<del>05/06/2017</del> 26/04/2019
DA1112	<del>Q</del> R	Tower 1 Level 4	Architectus	<del>05/06/2017</del> 26/04/2019
DA1113	<del>Q</del> R	Tower 1 Levels 5-16	Architectus	<del>05/06/2017</del> 26/04/2019
DA1114	<del>L</del> O P	Tower 1 Level 17	Architectus	<del>05/06/2017</del> <del>13/12/2017</del> 26/04/2019
DA1115	<del>O</del> P	Tower 1 Level 18	Architectus	<del>13/12/2017</del> 26/04/2019
DA1116	<del>I</del> J	Tower 1 Roof Plan	Architectus	<del>13/12/2017</del> 26/04/2019
DA1120	<del>L</del> M	Tower 2 Level 1	Architectus	<del>18/12/2017</del> 26/04/2019

Plan No.	Issue	Plan Title	Drawn by	Dated
DA1121	<del>L</del> M	Tower 2 Levels 2-7 – Low Rise	Architectus	<del>05/06/2017</del> 26/04/2019
DA1122	<del>M</del> N	Tower 2 Levels 8 – Waistband	Architectus	<del>21/02/2018</del> 26/04/2019
DA1123	<del>K</del> L	Tower 2 Levels 9-15. 17-21 – high Rise	Architectus	<del>13/12/2017</del> 26/04/2019
DA1124	<del>L</del> M	Tower 2 Level 16 – Waistband	Architectus	<del>13/12/2017</del> 26/04/2019
DA1125	<del>H</del> I	Tower 2 Level 22	Architectus	<del>05/06/2017</del> 26/04/2019
DA1126	<del>H</del> I	Tower 2 Level 23 – Penthouse	Architectus	<del>05/06/2017</del> 26/04/2019
DA1127	<del>C</del> D	Tower 2 Roof Plan	Architectus	<del>05/06/2017</del> 26/04/2019
<b>DA1128</b>	<b>A</b>	<b>Tower 2 Level 17-21 – High Rise</b>	<b>Architectus</b>	<b>26/04/2019</b>
DA1130	<del>I</del> J	Tower 2 Level 1	Architectus	<del>05/06/2017</del> 26/04/2019
DA1131	I	Tower 2 Levels 2-9 – Typical	Architectus	05/06/2017
DA1132	<del>I</del> J	Tower 3 Level 10 – Waistband	Architectus	<del>05/06/2017</del> 26/04/2019
DA1133	I	Tower 3 Level 11-17 – Typical	Architectus	05/06/2017
DA1134	<del>I</del> J	Tower 3 Level 18 Waistband	Architectus	<del>05/06/2017</del> 26/04/2019
DA1135	I	Tower 3 19-26 – Typical	Architectus	05/06/2017
DA1136	<del>I</del> J	Tower 3 Level 27 (Roof Garden – Penthouse)	Architectus	<del>05/06/2017</del> 26/04/2019
DA1137	<del>I</del> J	Tower 3 Level 28 (Plant – Penthouse)	Architectus	<del>05/06/2017</del> 26/04/2019
DA1138	D	Tower 3 Roof Plan	Architectus	05/06/2017
DA2000	<del>L</del> M	North Elevation – Tower 1	Architectus	<del>13/12/2017</del> 26/04/2019
DA2001	<del>L</del> M	East Elevation	Architectus	<del>13/12/2017</del> 26/04/2019
DA2002	<del>I</del> J	South Elevation	Architectus	<del>05/06/2017</del> 70/08/2019
DA2003	<del>L</del> M	West Elevation	Architectus	<del>13/12/2017</del> 26/04/2019
DA2004	H	North Link Elevation	Architectus	05/06/2017
DA2005	<del>L</del> M	South Link Elevation	Architectus	<del>13/12/2017</del> 26/04/2019
DA2006	J	East Context Elevation	Architectus	13/12/2017
DA2007	J	West Context Elevation	Architectus	13/12/2017
DA2100	K	Section A-A	Architectus	<del>05/06/2017</del>

Plan No.	Issue	Plan Title	Drawn by	Dated
	<del>L</del> <b>M</b>			<del>21/06/2018</del> <b>26/04/2019</b>
DA2101	<del>I</del> <b>J</b>	Section B-B	Architectus	<del>05/06/2017</del> <b>21/06/2018</b>
DA2102	<del>H</del> <del>I</del> <b>J</b>	Section C-C	Architectus	<del>05/06/2017</del> <del>21/06/2018</del> <b>26/04/2019</b>
DA2103	<del>I</del> <del>J</del> <b>K</b>	Section D-D	Architectus	<del>05/06/2017</del> <del>21/06/2018</del> <b>26/04/2019</b>
DA2104	<del>H</del> <del>I</del> <b>J</b>	Section E-E	Architectus	<del>05/06/2017</del> <del>21/06/2018</del> <b>26/04/2019</b>
DA7000	E	Epping Road & Langston Place Street View	Architectus	05/06/2017
DA7001	E	Epping Road & Smith Street District View	Architectus	05/06/2017
DA7003	C	Aerial View From East with Future Context	Architectus	05/06/2017
DA7004	E	Langston Place Street View	Architectus	05/06/2017
DA7005	E	Beecroft & Epping Road Morning District View	Architectus	05/06/2017
DA7007	E	Langston Place Plaza View 1	Architectus	05/06/2017
DA7010	E	Chamber Court Street View	Architectus	05/06/2017
DA7011	E	Pembroke Plaza View	Architectus	05/06/2017
DA7012	E	Beecroft Road District View	Architectus	05/06/2017
DA8000	C	Material Palette	Architectus	05/06/2017
SK1811	A	ROW Plan	Architectus	26/06/2017

### Landscape Plans

Plan No.	Issue	Plan/Document Title	Prepared by	Dated
103	H	Programme + Activation	Arcadia Landscape Architecture	May 2017
104	H	Ground Level	Arcadia Landscape Architecture	May 2017
105	H	Entry Forecourt	Arcadia Landscape Architecture	May 2017
106	H	Shareway	Arcadia Landscape Architecture	May 2017
107	H	Epping Road	Arcadia Landscape Architecture	May 2017

108	H	Epping Road	Arcadia Landscape Architecture	May 2017
109	H	East Interface	Arcadia Landscape Architecture	May 2017
110	H	East Interface	Arcadia Landscape Architecture	May 2017
111	H	Southeast Interface	Arcadia Landscape Architecture	May 2017
112	H	Pembroke Street	Arcadia Landscape Architecture	May 2017
113	H	Pembroke Street	Arcadia Landscape Architecture	May 2017
114	H	Chambers Court	Arcadia Landscape Architecture	May 2017
115	<del>H</del> I	Level One Podium	Arcadia Landscape Architecture	<del>May 2017</del> May 2019
116	<del>H</del> I	<del>Communal Rooftop Courtyard</del> L1 Communal Courtyard	Arcadia Landscape Architecture	<del>May 2017</del> May 2019
117	<del>H</del> I	<del>Communal Rooftop Courtyard</del> L1 Communal Courtyard	Arcadia Landscape Architecture	<del>May 2017</del> May 2019
118	H	Soil Strategy	Arcadia Landscape Architecture	May 2017
<b>118</b>	I	<b>L1 Pool Area</b>	<b>Arcadia Landscape Architecture</b>	<b>May 2019</b>
119	H	Indicative Lighting Strategy	Arcadia Landscape Architecture	May 2017
<b>119</b>	I	<b>L1 Pool Area</b>	<b>Arcadia Landscape Architecture</b>	<b>May 2019</b>
120	H	Indicative Materials Palette	Arcadia Landscape Architecture	May 2017
<b>120</b>	I	<b>L1 Pool Area</b>	<b>Arcadia Landscape Architecture</b>	<b>May 2019</b>
121	H	Proposed Planting Palette	Arcadia Landscape Architecture	May 2017
<b>121</b>	I	<b>Level 22 Terrace</b>	<b>Arcadia Landscape Architecture</b>	<b>May 2019</b>
122	H	Planting Schedule	Arcadia Landscape Architecture	May 2017
200	G	Landscape Masterplan - Ground Level	Arcadia Landscape Architecture	May 2017
201	G	Detailed Plan – Ground Level	Arcadia Landscape	May

			Architecture	2017
202	G	Detailed Plan – Ground Level	Arcadia Landscape Architecture	May 2017
203	G	Detailed Plan – Ground Level	Arcadia Landscape Architecture	May 2017
204	G	Detailed Plan – Ground Level	Arcadia Landscape Architecture	May 2017
205	G	Detailed Plan – Ground Level	Arcadia Landscape Architecture	May 2017
210	<b>G I</b>	Detailed Plan – Level One	Arcadia Landscape Architecture	<b>May 2017 May 2019</b>
211	<b>G I</b>	Detailed Plan – Level One	Arcadia Landscape Architecture	<b>May 2017 May 2019</b>
212	<b>G I</b>	Detailed Plan – Level One	Arcadia Landscape Architecture	<b>May 2017 May 2019</b>
213	<b>G I</b>	Detailed Plan – Level One	Arcadia Landscape Architecture	<b>May 2017 May 2019</b>
<b>214</b>	<b>I</b>	<b>Detail Plan – Level 22</b>	<b>Arcadia Landscape Architecture</b>	<b>May 2019</b>
220	G	Landscape Details	Arcadia Landscape Architecture	May 2017
230	G	Landscape Specification	Arcadia Landscape Architecture	May 2017

### **Stormwater Drawings**

Plan No.	Issue	Plan/Document Title	Prepared by	Dated
2274177_C001	P5	Cover Sheet, Notes, Locality Plan and Drawings Register	WSP	13/12/2018
2274177_C010	P7	General Arrangement Plan, Basement 4 and Pump Out Pit Details	WSP	13/12/2018
2274177_C020	P9	General Arrangement Plan, Ground Floor, Chainage Plan	WSP	13/12/2018
2274177_C030	P3	Longitudinal Section	WSP	13/12/2018
2274177_C031	P3	Cross Sections, Sheet 1 of 5	WSP	13/12/2018

2274177_C032	P3	Cross Sections, Sheet 2 of 5	WSP	13/12/2018
2274177_C033	P3	Cross Sections, Sheet 3 of 5	WSP	13/12/2018
2274177_C034	P3	Cross Sections, Sheet 4 of 5	WSP	13/12/2018
2274177_C035	P3	Cross Sections, Sheet 5 of 5	WSP	13/12/2018
2274177_C040	P8	OSD Tank Details	WSP	13/12/2018
2274177_C041	P4	Stormwater Details	WSP	13/12/2018
2274177_C050	P4	Pavement Plan	WSP	13/12/2018
2274177_C051	P4	Pavement Details, Parramatta Council's Standard Details	WSP	13/12/2018
2274177_C060	P4	Sediment & Erosion Control Plan	WSP	13/12/2018
2274177_C061	P4	Sediment & Erosion Control Details	WSP	13/12/2018

### Accompanying Reports

Documents	Prepared By	Dated
Statement of Environmental Effects	Urbis	29/05/2017
Design Review Accessibility Compliance Statement	Mckenzie Group	29/05/2017
Arboricultural Impact Appraisal and Method Statement (Rev B)	Naturally Trees	29/05/2017
Building Code of Australia Report (Rev F)	Mckenzie Group	23/05/2017
BASIX Cert: <del>662637M</del> 662637M_12	Efficient Living	<del>25/05/2017</del> 09/05/2019
Building Services Design Brief	Norman Disney & Young	02/12/2016
DA Report (Rev 7)	WSP/Parsons Brinckerhoff	04/07/2017
DA Report Civil Engineering (Rev 7)	WSP/Parsons Brinckerhoff	06/07/2017
Fire Safety Strategy ( <del>Rev B</del> ) (Rev 6)	Core Engineering Group	<del>25/05/2017</del> 24/04/2019
Traffic Impact Assessment (Rev B)	GTA Consultants	29/05/2017
Waste Management Plan ( <del>Rev K</del> ) (Rev P)	Elephants Foot	<del>29/05/2017</del> 01/05/2019
Environmental wind speed measurements	MEL Consultants	03/02/2017
Addendum to Environmental wind speed measurements.	MEL Consultants	30/03/2017

DA Noise Impact Assessment (Rev 1) <b>Revised DA Acoustic Assessment (Rev 1)</b>	Acoustic Logic	19/02/2016 <b>07/05/2019</b>
<b>Green Travel Plan (Issue A)</b>	<b>GTA Consultants</b>	<b>19/12/2018</b>
<b>Thermal Comfort &amp; BASIX Assessment (Issue I)</b>	<b>Efficient Living</b>	<b>29/04/2019</b>
<b>Accessibility Design Review Report (Rev 5)</b>	<b>McKenzie Group</b>	<b>29/04/2019</b>

**Note:** In the event of any inconsistency between the architectural plans, landscape plans, stormwater disposal plans or photomontages, the architectural plans shall prevail to the extent of the inconsistency.

**Reason:** To ensure the work is carried out in accordance with the approved plans.

**(Condition modified by DA/468/2016/A on 22/02/2018, DA/468/2016/B on 17/12/2018, DA/468/2016/C on 07/03/2019 and DA/468/2016/D on XX/XX/2019)**

- 1A. In accordance with the satisfaction of the Sydney Trains deferred commencement matters (Schedule 1 - Condition 1) the Applicant is to comply with the documents and plans previously provided to Sydney Trains for approval/certification, as follows:

Geotechnical

- a) Report on Geotechnical Investigation Proposed Residential Development, revision: R.002.Rev 3, prepared by: Douglas Partners.
- b) Cover Letter, revision: 86181.02.R.001.Rev 0, prepared by: Douglas Partners.

Construction Methodology

- c) Schedule 1 Condition 1 b) – Construction methodology excavation, revision: 180711 t6042 Langston Sydney Trains Construction Methodology Excavation, prepared by: PDS Group, dated 11 July 2018.

Structural Cross Sections

- d) Site Retention and bulk Excavation Plan, reference: S010\_01 Rev. 8, prepared by: WSP, dated: 16/07/2018.
- e) Site Retention and bulk Excavation 3D View, reference: S010\_02 Rev. 5, prepared by: WSP.
- f) Site Retention Sections Sheet 01, reference: S010\_21 Rev. 3, prepared by: WSP, dated: 16/07/2018.



- g) Site Retention Sections Sheet 02, reference: S010\_22 Rev. 2, prepared by: WSP, dated: 16/07/2018.

Detailed Survey Plans

- h) Plan Showing Levels Over Rail Protection Reserve Area at No. 12-22 Langston Place Epping, revision: 20/877567 150607\_Rail Corridor 18.06.22 Rev. 1, prepared by: Linker Surveying.
- i) Rail Protection Reserves Plan Sheet 19 of 20, revision: PRL GD 02485 Rev. B, prepared by: Sydney Trains.

**Reason:** To comply with the requirements of Sydney Trains and State Environmental Planning Policy (Infrastructure) 2007.

2. **Parking Spaces**

- a) Parking spaces are to be provided in accordance with the approved plans referenced in condition 1 and with AS 2890.1, AS2890.2 and AS 2890.6.
- b) Column locations are to comply with clearance requirements of AS2890.1
- c) 300mm clearance is to be provided between the parking spaces and any structure that restricts access like boom gates and storage units.
- d) A 1m extension is required for the blind aisle on Basement 1, and for the spaces positioned adjacent to the access gates.
- e) The after hours roller shutter is to be positioned to avoid conflict with parking spaces.
- f) Details are to be illustrated on plans submitted with the construction certificate.

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

3. ***Allocation of Car Wash Bays***

Car wash bay spaces must not at any time be allocated, sold, or leased to an individual owner/occupier, and must be strictly retained as common property by the owners corporation.

**Reason:** To protect the local amenity.

4. ***Accessible Car parking***

- a) Accessible car parking spaces must be provided as part of the total car parking requirements.

- b) These spaces, and access to these spaces, must comply with AS2890.6: 'Parking facilities', 'Off-street parking for people with disabilities', AS1428.1: 'Design for access and mobility', 'General requirements for access - New building work' 2001 and 2009, and AS1428.4: 'Design for access and mobility', 'Tactile ground surface indicators for orientation of people with vision impairment', 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009.
- c) Details are to accompany each application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

#### 5. ***Bicycle Racks***

- a) The dimensions and layout of the bicycle storage/racks are to comply with AS 2890.3 - 2015.
- b) Details are to be illustrated on plans submitted with the construction certificate.

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

#### 6. ***Vision Splays***

- a) A splay extending 2m from the driveway edge along the front facade, and 2.5m from the facade 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.
- b) This shall not be compromised by the landscaping, signage, fences, walls, or display materials. Any such materials may only be permitted if they are less than, or equal to, 900mm height above the driveway level.
- c) Details are to be illustrated on plans submitted with the construction certificate.

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

#### 7. ***Footpath Occupation***

- a) 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.

- b) 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.

8. ***Oversize Vehicles***

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

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

9. ***Building Work in Compliance with BCA***

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

**Reason:** To comply with the *Environmental Planning & Assessment Act 1979*, as amended and the *Environmental Planning & Assessment Regulation 2000*.

10. ***Construction Certificate***

- a) Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is mandatory to obtain a Construction Certificate.
- b) 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.

11. ***No Encroachment on Council and/or Adjoining Property***

- a) With the exception of the approved public domain works including new road, the development must be constructed within the confines of the property boundary.
- b) No portion of the proposed structure, including footings/slabs, or 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.

12. ***Demolition of Buildings***

- a) Approval is granted for the demolition of all buildings and structures currently on the property, subject to compliance with the following:
  - i) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.  
**Note:** Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.
  - ii) The developer is to notify owners and occupiers of premises on either side, opposite, and at the rear of the development site five (5) working days prior to demolition commencing. Such notification is to be clearly written on A4 size paper, giving the date demolition will commence, and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
  - iii) Five (5) working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to Parramatta City Council for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
  - iv) On the first day of demolition, work is not to commence until Parramatta City Council has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
  - v) On demolition sites where buildings to be demolished contain asbestos cement, a standard, commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL

IN PROGRESS” measuring not less than 400mm x 300mm is to be erected in a prominent and visible position on the site, to the satisfaction of Council’s officers. The sign is to be erected prior to demolition work commencing, and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001

- vi) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under “Prior to Works Commencing” in this Consent.
- vii) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- viii) Demolition works involving the removal and disposal of asbestos cement in excess of 10m<sup>2</sup>, must only be undertaken by contractors who hold a current WorkCover “Demolition Licence”, and a current WorkCover “Class 2 (Restricted) Asbestos Licence”.
- ix) Demolition works are restricted to Monday to Friday between the hours of 7:00am to 5:00pm. No demolition works are to be undertaken on Saturdays, Sundays, or Public Holidays.
- x) 1.8m high protective fencing is to be installed to prevent public access to the site.
- xi) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
  - 1) Proposed ingress and egress of vehicles to and from the construction site;
  - 2) Proposed protection of pedestrians adjacent to the site;
  - 3) Proposed pedestrian management whilst vehicles are entering and leaving the site.
- xii) All asbestos laden waste, including asbestos cement flat and corrugated sheets, must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- xiii) Before demolition works begin, adequate toilet facilities are to be provided.
- xiv) After completion, the applicant must notify Parramatta City Council within seven (7) days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- xv) Within 14 days of completion of demolition, the applicant must submit to Council:

- 1) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
- 2) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
- 3) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

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

13. ***Home Warranty Insurance for Residential Flat Buildings over \$20,000***

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:

- i) 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
- ii) 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.

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**Reason:** To comply with the *Home Building Act 1989*.

14. ***Waste Data Maintained***

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

**Reason:** To confirm waste minimisation objectives under Parramatta Development Control Plan 2011 are met.

15. ***Sydney Trains - Bus Stops***

The Applicant must consult the Deputy Project Director, Metro Product and Integration, Sydney Metro Project Office, Transport for NSW ("Sydney Metro"), about the impact of the proposed works on the implementation and operation of the temporary bus stops on Langston Place and Pembroke Street, Epping, identified in the Epping to Chatswood Railway Temporary Transport Plan ("Temporary Bus Stops").

**Note:** The Epping to Chatswood Railway Temporary Transport Plan, which has planning consent under Part 5 of the *Environmental Planning and Assessment Act 1979*, contains information about the public transport arrangements while the Epping to Chatswood Railway is temporarily closed from late 2018 for approximately six (6) to seven (7) months, in order to convert the line to Sydney Metro Northwest operations. During this time, rail replacement bus services will operate to continue public transport connections for customers travelling to destinations on the ECR corridor. Further information about the Temporary Transport Plan is available at:

<http://nwrail.transport.nsw.gov.au/NorthWestRailLink/media/NWRUPDF/ECRL/Temporary-Transport-Plan-Complete-Report-with-Appendices 1.pdf>.

<http://nwrail.transport.nsw.gov.au/NorthWestRailLink/media/NWRL/PDF/ECRL/Epping-to-Chatswood-Railway-Conversion-to-Rapid-Transit-Determination-Report-Accessible-Version.pdf>

**Reason:** To comply with the requirements of Transport for NSW and SEPP (Infrastructure) 2007.

16. ***Bus Stops – Management Plan***

The Applicant must comply with the Temporary Bus Stop Traffic and Pedestrian Management Plan.

**Reason:** To comply with the requirements of Transport for NSW and SEPP (Infrastructure) 2007.

17. ***Bus Stops - Operation***

During the establishment, operation, and removal of the Temporary Bus Stops, no Works Zones are to be located on Langston Place and Pembroke Street within 20m of Temporary Bus Stops.

**Reason:** To comply with the requirements of Transport for NSW and SEPP (Infrastructure) 2007.

18. ***Bus Stop – Concrete Pump Lines***

During the establishment, operation and removal of the Temporary Bus Stops, no concrete pump lines or pedestrian ramps are to be located in or within 20m of Temporary Bus Stops.

**Reason:** To comply with the requirements of Transport for NSW and SEPP (Infrastructure) 2007.

19. ***Bus Stop – Additional Information***

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

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

20. ***Site Sign***

- a) A sign must be erected in a prominent position on any site involving excavation, erection, or demolition of a building, in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 detailing:
- i) Unauthorised entry of the work site is prohibited;
  - ii) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24 hour contact; and
  - iii) The name, address and telephone number of the Principal Certifying Authority;
  - iv) The development consent approved construction hours;
- b) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.



- c) This condition does not apply where works are being carried.  
**Reason:** Statutory requirement.

21. ***Copy of development consent***

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

**Reason:** To ensure compliance with this consent.

22. ***Tree Protection***

- a) Tree protection measures are to be installed and maintained in accordance with the recommendations set out in the approved Arborist Report listed at condition 1 and under the supervision of an Australian Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 - "Protection of Trees on Development Sites".

**Reason:** To ensure trees are protected during construction.

23. ***Tree Removal***

- a) All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Draft Tree Work Code of Practice 2007.

**Reason:** To ensure works are carried out in accordance with the Draft Tree Work Code of Practice 2007.

24. ***Trees of 5m and Over***

- a) Trees greater than 5m in height must not be damaged, or removed from the subject property or adjoining properties unless approved by this Consent.

**Reason:** To preserve existing landscape features.

25. ***Tree Root Volume***

- a) All trees planted within the subject site must be of an adequate root volume and maturity so as not to require staking or mechanical support. Planting must be carried out in accordance with the planting and growth requirements of Council's Standard Drawing DS39.

**Reason:** To ensure the trees planted within the site are able to reach their required potential.

26. ***Trees on Public Property***

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

**Reason:** Protection of existing environmental infrastructure and community assets.

27. ***Storage of Materials Around Trees***

- a) No materials (including waste and soil), equipment, structures, or goods of any type are to be stored, kept or placed within 5m of the trunk of a tree, or within the drip line of any tree.

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

28. ***Services and Trees***

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

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

29. ***Dust Control***

- a) Dust control measures shall be implemented during all periods of earth works, demolition, excavation, and construction to minimise the dust nuisance on surrounding properties.
- b) 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.

30. ***Materials on Footpath***

- a) No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs, or vehicles associated with the construction, excavation, or demolition shall be stored or placed on/in Council's footpath, nature strip, roadway, park, or

reserve without the prior approval being issued by Council under section 138 of the *Roads Act 1993*.

**Reason:** To ensure pedestrian access.

31. ***Materials on Drainage Line***

- a) 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.

32. ***Hours of Work and Noise***

- a) All work (excluding demolition which has separate days and hours outlined below), including building and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools, machinery etc.) in connection with the proposed development, must only be carried out between the hours of 7:00am and 5:00pm on Monday to Friday inclusive, and 8:00am to 5:00pm on Saturday.
- b) No work is to be carried out on Sunday or public holidays.
- c) Demolition works are restricted to Monday to Friday between the hours of 7:00am and 5:00pm.
- d) No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.

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

33. ***Complaints Register***

- a) The applicant must record details of all complaints received during the construction period in an up to date complaints register.
- b) The register must record, but not necessarily be limited to:
  - i) The date and time of the complaint;
  - ii) The means by which the complaint was made;
  - iii) Any personal details of the complainants that were provided, or if no details were provided, a note to that affect;
  - iv) Nature of the complaints;
  - v) Any action(s) taken by the applicant in relation to the complainant, including any follow up contact with the complainant; and

- vi) If no action was taken by the applicant in relation to the complaint, the reason(s) why no action was taken.
- c) The complaints register must be made available to Council and/or the principal certifying authority upon request.

**Reason:** To allow the Principal Certifying Authority to ensure complaints are dealt with appropriately.

34. ***Shoring and Adequacy of Adjoining Property***

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

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

**Reason:** As prescribed under the Environmental Planning and Assessment Regulation 2000.

35. ***Damage to Public Infrastructure***

- a) 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.

36. ***Importation of Clean Fill***

- a) Any fill material, required by this consent, imported to the site is to be virgin excavated natural material (VENM), and is to be certified as such by a suitably qualified industry professional.
- b) The certification of each delivery is to be kept on site and produced for inspection if requested.

**Reason:** To ensure the site does not become contaminated, and appropriate compaction levels can be achieved.

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37. **Occupation Certificate**

- a) Occupation, or use of the building or part, is not permitted until an Occupation Certificate has been issued in accordance with Section 109H of the *Environmental Planning and Assessment Act 1979*.

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

38. **Separate Occupation**

- a) The specific retail use, or occupation of the premises must be the subject of further development approval for such use or occupation.

**Reason:** To ensure development consent is obtained prior to that use commencing.

39. **Signage Consent**

- a) No advertisement or signage shall be erected on, or in conjunction with the development without prior consent.

**Reason:** To comply with legislative controls.

40. **Digital Signage**

- a) No advertising or other digital displays are to be installed in or on any part of the development facing Epping Road or Langston Place be it within a shop display or otherwise.

**Reason:** To ensure road safety.

41. **Shopfront Appearance**

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

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

42. **Graffiti Management**

- a) 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.

43. **Sediment Control**

- a) Works are not to result in sedimentation and/or runoff from the approved works onto the adjoining properties and/or public lands.
- b) The person having the benefit of this consent must ensure sediment is not tracked out from the development site.

**Reason:** To ensure no adverse impacts on neighbouring properties.

#### 44. **Site Maintenance**

- a) 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:
  - i) All site boundaries are to be secured and maintained to prevent unauthorised access to the site;
  - ii) All existing buildings are to be secured and maintained to prevent unauthorised access and vandalism;
  - iii) All site boundaries are to be secured and maintained to prevent unauthorised access to the site;
  - iv) All general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis;
  - v) The site is to be maintained clear of weeds; and
  - vi) 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.

#### 45. **Special Permits**

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

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

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

46. ***Nomination of Engineering Works Supervisor***

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

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

47. ***Access and services for people with disabilities***

- a) 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.
- b) Detailed plans, documentation and specification must accompany each application for a Construction Certification to the satisfaction of the Certifying Authority.

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

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48. ***Oversize Vehicles Using Local Roads***

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

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

49. ***Removal of Underground Storage Tanks***

- a) Underground tanks shall be decommissioned, and removed, in accordance with:
  - i) Australian Institute of Petroleum (AIP) Code of Practice for the Removal and Disposal of Underground Petroleum Storage Tanks (ref. AIP CP22).
  - ii) Australian Standard AS 1940: 2004 AS 1940:2004 The Storage and Handling of Flammable and Combustible Liquids.
  - iii) Work Cover NSW Code of Practice for the Storage and Handling of Dangerous Goods.
  - iv) NSW Department of Environment and Climate Change: Environmental Guidelines: Assessment, Classification and Management of Liquid and Non Liquid Wastes

**Reason:** To ensure the safe removal of underground storage tanks.

50. ***Requirement for Removal of Underground Storage Tanks***

- a) Following excavation and removal of any underground storage tank, the land shall be assessed in accordance with the NSW Environment Protection Authority's Technical Note: Investigation of Service Station Sites (2014).
- b) A report on the investigation is to be supplied to Council's Environment and Public Health unit.
- c) At the completion of the investigation, a site audit statement shall be issued by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.

**Reason:** To ensure that the land is left in a safe and healthy condition.

51. ***Garbage Chutes***

- a) Any garbage chutes must be designed in accordance with the requirements of the Building Code of Australia and the Department



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of Environment and Climate Change Better Practice Guide for Waste Management in Multi-Unit Dwellings.

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

52. ***Maintenance of Waste Storage Areas***

- a) 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.

53. ***Waste Storage***

- a) 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.
- b) 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.

54. ***Putrescible Waste***

- a) 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.

55. ***Sydney Trains – Excavation***

- a) Unless advised otherwise, the applicant shall comply with the following items:
- i) All excavation works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.
  - ii) No rock anchors/bolts are to be installed into railcorp's property of easements.
  - iii) On completion of the basement slab works, all temporary rock anchors/bolts along the rail corridor boundary are to be destressed in accordance with the Geotechnical and Structural Reports.
  - iv) The project engineer is to conduct vibration monitoring during the course of excavation.
- b) A Construction Certificate is not to be issued until the measures detailed in this condition of consent have been incorporated into the construction drawings and specifications.

- c) Prior to the commencement of works, the Principle Certifying Authority is to provide verification to Sydney Trains that this condition has been complied with.

**Reason:** To comply with the requirements of Sydney Trains and State Environmental Planning Policy (Infrastructure) 2007.

56. ***Sydney Trains – Inspection***

- a) Sydney Trains and Transport for NSW, and persons authorised by it for this purpose, are entitled to inspect the site of the approved development and all structures to enable it to consider whether those structures on that site have been, or are being, constructed and maintained in accordance with these conditions of consent, on giving reasonable notice to the principal contractor for the approved development or the owner or occupier of the part of the site to which access is sought.

**Reason:** To comply with the requirements of Sydney Trains and State Environmental Planning Policy (Infrastructure) 2007.

57. ***Sydney Trains - Copies of Certificates***

- a) Copies of any certificates, drawing or approvals given to or issued by Sydney Trains must be submitted to Council for its records.

**Reason:** To comply with the requirements of Sydney Trains and State Environmental Planning Policy (Infrastructure) 2007.

58. ***Sydney Trains – Transport for NSW***

- a) In exercising its functions in relation to any Sydney Trains conditions, Sydney Trains reserves the right to liaise with Transport for NSW and impose any requirements (as advised by TfNSW) on their behalf as if they were Sydney Trains' requirements.

**Reason:** To comply with the requirements of Sydney Trains and State Environmental Planning Policy (Infrastructure) 2007.

59. ***Public Utility Relocation***

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

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

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60. **Road Occupancy License**

- a) A Road Occupancy License should be obtained from Transport Management Centre for any works that may impact on traffic flows on Epping Road during construction activities.

**Reason:** To ensure the proposal does not impact on the efficient operation of the transport network.

61. **Construction Zone – Epping Road**

- a) A construction zone will not be permitted on Epping Road.

**Reason:** To ensure the proposal does not impact on the efficient operation of the transport network.

62. **Landscaping Height**

- a) Any proposed landscaping and/or fencing must not restrict sight distance to pedestrians and cyclists travelling along the footpath.

**Reason:** To ensure public safety.

63. **Signpost Provision**

- a) All works/regulatory signposting associated with the proposed development are to be at no cost to Roads and Maritime.

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

64. **Vehicle Egress Signs**

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

**Reason:** To ensure pedestrian safety.

65. **Air-conditioning Noise Emission**

- a) Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.
- b) Any air conditioners must not 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.
  - c) Emit a sound pressure level when measured at a boundary of any other residential property, at a time other than those specified in (a) and (b) above which exceeds the background (LA90, 15 minute) by more than 5dB(A).
  - d) The source noise level must be measured as a LAeq 15 minute.
- Reason:** To minimise noise impact of air conditioning equipment and protect amenity

66. **Retail Operation**

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

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

67. **Civil Assets Inspections**

- a) A range of inspections will be carried out by CoP officers during the construction phase.
- b) The applicant must contact Council's Civil Assets Inspector on (02) 9806 8250 for each inspection listed below in part "d)" of this condition.
- c) At least 48 hours' notice must be given for all inspections.
- d) The required inspections include the following and apply to all Council and privately certified projects.
  - i) Commencement of public domain works including tree protection measures installed and set out of tree pits;
  - ii) Subgrade inspection following excavation for footings, drainage and pavements, tree pits showing root barriers, structural soil cell, sub-surface drainage and irrigation system as required;
  - iii) Installation of required underground conduits;
  - iv) Binding layer/concrete slab based completion and initial (indicative) set out of pavers street fixtures and fittings as applicable to ensure compliance with the requirements in the Public Domain Guidelines;
  - v) Delivery of street trees to site. Trees shall be installed within 24hrs of delivery;
  - vi) Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

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

## Construction Certificate

### 68. *Podium to Langston Place*

- a) A 1.5m podium setback is to be provided to Langston Place.
- b) Revised drawings and sections showing the required setback shall be submitted to Council for approval prior to the issue of a Construction Certificate.

**Reason:** To ensure required setbacks are provided.

### 69. *Public Domain*

- a) Regardless of Condition 1, the public domain design on the stamped drawings is not approved as shown.
- b) Prior to the issue of any Construction Certificate for works at ground level or above, a set of Public Domain Plans, prepared by a qualified landscape architect and engineer, detailing all areas of the development site between building line and the gutter in Langston Place, Epping Road, Pembroke Street, Chambers Court and proposed new public/private road including road pavement, kerb & gutter, in-road planting (on deep soil and on basement slab under), footpath, planting beds, drainage, forecourt, and front setback areas shall be submitted to and approved by Council's Manager - Development Assessment.
- c) The provision of public domain upgrades, must be submitted to and approved by Council's Manager Development & Traffic Services.
- d) The final street stormwater design shall be submitted to and approved by Councils Engineers.
- e) The Public Domain Plans must include details of the road pavement, kerb returns, pedestrian refuge islands, kerbs & gutters, in-road planting, footpaths, planting beds, drainage, and front setback areas within the public domain and publicly accessible areas generally in accordance with the Ground Floor Plan/Site Plan prepared by Architectus (Dwg DA1004/CC) and Concept Plan – Ground Level by Arcadia Landscape Architecture (Dwg 104/H) hereby approved subject to the following additional requirements:
  - i) The latest City of Parramatta Public Domain Guidelines (PDG). The consultant must contact Council's Urban Design team for the latest design standards and material specifications before finalising the documentation;

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- ii) Must be fully coordinated across the survey, architectural, landscape, engineering, lighting, stormwater and lighting plans;
  - iii) New and reinstated (as directed by Council) kerbs and gutters, vehicle crossing points and kerb ramps must be constructed according to City of Parramatta's design standard DS series drawings.
  - iv) The new road must consist of, but not limited to:
    - 1) Road geometry designed using minimum kerb radii to achieve as close to right angle change in direction i.e. from the north-south alignment to the east-west alignment
    - 2) The road carriageway must consist of one lane each way, 3.5m maximum width each lane, with
    - 3) Car parking lanes each side of the road at 2.5m min width, and four (4) spaces both sides of the road
    - 4) Provide kerb blister at 'threshold' of private/public with pedestrian crossing and major street trees planted in each blister
  - v) The footpath width is to be a 5m minimum each side of the road (except where restricted by site boundaries) and must include:
    - 1) 2.4m clear line of travel at building face
    - 2) 2.6m furniture zone at back of kerb
    - 3) 2m minimum awning setback from kerb, see below and PDG
  - vi) Provide copse of deciduous trees planted in deep soil in plaza space between new road and Langston Place to take advantage of seasonal solar access
  - vii) The Public Domain Guidelines - Epping Town Centre paving strategy, the footpath pavement must consist of granite flagstone ('Adelaide Black' or 'Austral Black' at 100x200x50mm). The paving upgrade must include the entire public domain areas from building face to building face and to kerb. The detailed paving must comply with the City of Parramatta standard paving details - DS45 (granite treatment), which must be obtained from the City of Parramatta Urban Design Team.
  - viii) The section of roadway to remain private should be easily and clearly identifiable on the site (i.e. different surface materials, different colour from areas to be dedicated).
  - ix) The public and private land boundary must be clearly defined by using discreet survey markers at all corners and changes in direction in pavement or planting bed edges.

- x) Details of the proposed tree planting on slab shall be included in the Public Domain CC set to clearly demonstrate the intent of stormwater treatment or passive irrigation and positive drainage to stormwater system.
- xi) The awning design, in terms of the location, height, width and thickness must be shown in plan and in a detailed cross section (no less than 1:50 scale) to demonstrate its relationship with kerb, footpath, street tree, street wall, and any overhead structures. A minimum 2m clearance shall be provided between kerb face to awning outline to ensure sufficient growth spaces for street trees. Cut outs in the awnings (to accommodate trees) should not be used.
- xii) Gates and/or any device to restrict or control public access 24/7 for the proposed through-site link between the proposed new road and Epping Road are not permitted by Council and must not be shown.
- xiii) All the public domain, site entries, through-site links, and other publicly accessible areas must comply with the DDA and AS1428 requirements. Any required accessible facilities, including ramps, hand rails, TGSIs at site entries, must be located within the site boundaries without encroaching pedestrian desire lines or clear paths of travel.
- xiv) Public seating furniture and bins required must be provided in the furniture zone of the footpath area. Proposed public furniture shall comply with the requirements in the PDG.
- xv) Standard kerb ramps are to be constructed at all logical pedestrian crossings.
- xvi) If poles for street lighting and pedestrian lighting are required, multi-function poles must be used, and all power lines to be undergrounded.

**Reason:** To set the standards for reconstruction of the public domain.

#### 70. ***Epping Library***

- a) Consultation shall be undertaken with Council's Manager Social and Community Services and a report produced detailing the measures to be undertaken to ensure that construction noise and traffic will not impact upon the operation of Epping Library.
- b) The report produced is to form part of the construction certificate issued and any measure contained within adhered to at all times.

**Reason:** To ensure impacts upon Epping Library are minimised.

#### 71. ***Voluntary Planning Agreement***

- a) The applicant shall either pay the S94 contribution of ~~\$6,757,390.24~~ **\$7,044,678.70**, or enter into a Voluntary Planning Agreement (VPA) with City of Parramatta Council prior to the issue of a Construction Certificate for the payment of the s94 contributions as set out below:

Contribution Type	Amount
Local Roads	\$ 171,972.55
Local Open Space and Recreation	\$ 4,748,544.44
Local Community Facilities	\$ 1,825,488.64
Plan Preparation and Administration	\$ 11,384.61
<b>Total</b>	<b>\$ 6,757,390.24</b>

Contribution Type	Amount
<b>Local Roads</b>	<b>\$ 370,028.77</b>
<b>Local Open Space and Recreation</b>	<b>\$ 4,811,797.29</b>
<b>Local Community Facilities</b>	<b>\$ 1,849,800.25</b>
<b>Plan Preparation and Administration</b>	<b>\$ 13,052.39</b>
<b>Total</b>	<b>\$ 7,044,678.70</b>

- b) All contributions will be index linked in accordance with Part 2.6 (Indexation of contributions) of Hornsby Shire Council S94 development contributions plan 2014-2024.

**Reason:** To provide for improvements to community infrastructure.

**(Condition modified by DA/468/2016/D on XX/XX/2019)**

**72. Environmental enforcement Charge**

- a) An Environmental Enforcement Service Charge must be paid to Council prior to the issue of any Construction Certificate.
- b) The fee will be in accordance with Council's 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.

**73. Infrastructure Restoration Administration Fee**



- a) An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of any Construction Certificate.
- b) 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.

**74. Ceiling Height**

- a) Prior to the issuing of a Construction Certificate, detailed plans and sections of the habitable rooms to be reduced in height below 2.7m are to be submitted to Council for approval in writing, showing the depths of ceiling height reduction to a minimum floor to ceiling height of 2.4m.

**Reason:** to ensure adequate amenity is maintained for future occupants.

**75. Traffic Access Control**

- a) A detailed traffic access management system which utilises number plate recognition cameras and incorporates a dock access management system shall be submitted to, and approved by Council, prior to issue of a Construction Certificate.

**Reason:** To ensure safe access to parking and loading facilities.

**76. Principal Private Open Space**

- a) Where the Principal Private Open Space provided to any unit and accessed from the living room is not consistent with the requirements of State Environmental Planning Policy No. 65 (SEPP 65) - Apartment Design Guide (ADG) Criteria 1, or Objective 4E-1, it shall be revised to meet the requirements of the ADG Design Criteria 1, or Objective 4E-1, and submitted to Council for approval prior to the issue of a Construction Certificate.

**Reason:** To ensure the adequate provision of private open space.

**77. Storage Provision**

- a) Prior to the issue of the Construction Certificate, the basement storage areas will be allocated to the applicable units and approved by Council.

- b) The allocation will be such that each unit has a minimum total secure storage volume (including the storage space within each unit) as follows:
  - i) 1 bedroom units – 6m<sup>3</sup>
  - ii) 2 bedroom units – 8m<sup>3</sup>
  - iii) 3 bedroom units – 10m<sup>3</sup>

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

#### 78. ***Waste and Recycling Storage Facilities***

- a) Waste and recycling storage facilities are to be provided in each residential and retail unit.
- b) Details of the unit waste storage areas are to be provided to the satisfaction of the Principal Certifying Authority, prior to the issue of a Construction Certificate.

**Reason:** To ensure adequate storage for refuse.

#### 79. ***Construction Phase Soil and Water Management Plan***

- a) Prior to the issue of a Construction Certificate, a construction phase soil and water management plan must be prepared to the satisfaction of the Principal Certifying Authority.
- b) This plan must address, but is not limited to, the applicant's proposed management strategies for the following issues:
  - i) **Stormwater Management:**  
All stormwater incident on the construction site must be collected, and appropriately disposed of, in a manner that does not increase the flood risk for the catchment area, or degrade the quality of water being disposed of into council stormwater infrastructure.
  - ii) **Construction Material Pollution Protection:**  
During construction, any stockpiled materials and/or construction waste stored onsite is to be isolated from stormwater flow into Council stormwater systems and natural waterways, in order that it not become a pollutant. This is to be achieved with the provision of continuous perimeter bunding around waste storage areas, constructed to be of sufficient height and durability to withstand site-specific stormwater conditions and construction activity for the life cycle of the construction project.
  - iii) **Erosion and Sediment Control Measures:**  
Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation, or

construction works upon the site. These devices are to include, but not be limited to:

- 1) Vehicle Wheel wash, cattle grid, wheel shaker, or other appropriate device to remove sediment from vehicle wheels.
- 2) A sediment trapping fence, made of a geotechnical textile, specifically designed for such a purpose, and installed and maintained to manufacturer's specifications, placed below the disturbed area of the construction site along contours.
- 3) Vegetation is to be maintained on the development site as much as possible, and shall not be cleared from neighboring sites.
- 4) Vehicle access shall be restricted to one (1) designated point, and vehicle driveways are to be adequately covered at all times with blue metal or the like.
- 5) All devices are to be maintained throughout the entire demolition, excavation, and construction phases of the development, and for a minimum three (3) month period after the completion of the project, where necessary.

iv) Environmental Due Diligence:

In order to remain compliant with the *Protection of the Environment Operations (PoEO) Act 1997*, environmental due diligence must be demonstrated to have been exercised throughout the construction process. To this end, an external, regular, environmental management and monitoring system must be proposed to ensure the integrity of pollution control measures.

v) De-watering of the Excavation Cavity:

Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property.

Calculations of expected groundwater inflow and pump-out volume must be included in the report. For water accumulated within an excavation to be approved for drainage into Council Stormwater systems, the following discharge water quality standards must be met at all times throughout the construction phase of the development:

- 1) pH 6.5-8.5.
- 2) Total Suspended Solids (TSS) 50 mg/l.
- 3) Oil and Grease 'Not visible'.

- 4) If the site is identified as containing contaminated or acid-sulfate soils, all trace contaminants must be removed from the groundwater prior to disposal.

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

Full plant and equipment details, an operational and monitoring plan, and evidence of ability to achieve the required performance must be presented in the final plan.

**Reason:** To protect the environment.

80. ***Swept Path***

- a) The road infrastructure in Chambers Court is to be adjusted to accommodate the swept path of the largest vehicle likely to access the site.
- b) Signage is to be provided in appropriate locations warning larger vehicles not to enter the new street.
- c) Details are to be illustrated on plans submitted with the construction certificate.

**Reason:** To ensure satisfactory access for all vehicles.

81. ***Construction Traffic Management Plan***

- a) A Construction Traffic Management Plan shall be prepared to the satisfaction of the Council's Service Manager, Traffic and Transport.
- b) Details are to be submitted with the construction certificate.
- c) The following matters must be specifically addressed in the Plan:
  - i) Construction Management Plan for the Site
    - 1) A plan view of the entire site and frontage roadways indicating:
      - Access arrangements to and from the site.
      - Proposed number of trucks during the phases of development
      - Hours of proposed truck movements to and from the site.
      - Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and demolition related vehicles in the frontage roadways.
      - Turning areas within the site for demolition and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site.

- The locations of proposed Work Zones in the egress frontage roadways.
  - Location of any proposed crane standing areas.
  - A dedicated unloading and loading point within the site for all demolition vehicles, plant and deliveries.
  - Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected.
  - The provisions of an onsite parking area for employees, tradesperson, and construction vehicles, as far as possible.
- ii) Traffic Control Plan(s) for the site:
- 1) All traffic control devices installed in the road reserve shall be in accordance with the Roads and Traffic Authority, NSW (RTA) publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RTA '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.
  - 2) Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.
- iii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery, and machine floatage must be provided, and a copy of this route is to be made available to all contractors.
- iv) The plan must address the following:
- 1) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
  - 2) Minimising construction related traffic movements during school peak periods.
  - 3) Impacts upon the adjacent Epping Library and its users and staff. Consultation is to be undertaken with Council's Manager Social and Community Services.
- v) Confirmation that consultation has been undertaken with Council's Manager Social and Community Services in the form of a letter on headed paper.

**Reason:** To manage construction impacts.

82. ***Basement Manoeuvring***

- a) Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like, do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2, and AS 2890.6.
- b) Details are to be illustrated on plans submitted with the construction certificate.

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

### 83. ***Bus Stops***

- a) Prior to the issue of any Construction Certificate, the Applicant must prepare and submit to Sydney Metro a Temporary Bus Stop Traffic and Pedestrian Management Plan, that takes into account the impacts of the proposed development on the establishment, operation and removal of Temporary Bus Stops and the movement of public transport customers and buses to and from Temporary Bus Stops, and receive written advice that Sydney Metro is satisfied with the Temporary Bus Stop Traffic and Pedestrian Management Plan.
- b) The Temporary Bus Stop Traffic and Pedestrian Management Plan must at least address the following matters:
  - i) Traffic and public transport customer management in the vicinity of the development;
  - ii) Placement and location of temporary structures related to the development on Langston Place and Pembroke Street, Epping, in or within 20 metres of the Temporary Bus Stops;
  - iii) Timing of and reinstatement standards for footpath and road openings;
  - iv) Location and operation of crossings into the development site within 20 metres of the temporary bus stops;
  - v) Communications between sydney metro and the applicant.

**Reason:** To comply with the requirements of Transport for NSW and SEPP (Infrastructure) 2007.

### 84. ***Location of Plant (Residential Flat Buildings)***

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

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

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

85. ***Acoustic Report***

- a) The recommendations outlined in the acoustic report prepared by Acoustic Logic with reference number ~~20150902.1/1902A/R1/BW revision 1~~ **20190302.2/0705A/R1/SN revision 1**, dated ~~19/02/2016~~ **07/05/2019**, 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.

***(Condition modified by DA/468/2016/D on XX/XX/2019)***

86. ***Road Traffic Noise and Environmental Noise (Sleep Disturbance)***

- a) To minimise the impact of noise from the adjoining major road or rail corridor on the occupants of the building it shall be acoustically designed and constructed to meet the requirements of AS3671-1989 (Acoustics – Road Traffic Noise Intrusion – Building Siting and Construction), AS 2107-2000 (Recommended design sound levels and Reverberation times in Building interiors), the NSW Environment Protection Authority's Environmental Criteria for Road Traffic Noise and the Environmental Noise Control Manual (Sleep Disturbance).
- b) A report from an appropriately qualified person that these acoustic and vibration design requirements will be met shall be provided to the satisfaction of the PCA prior to the issue of each Construction Certificate.

**Reason:** To ensure a suitable level of residential amenity not affected by excessive noise and vibration from surrounding activities.

87. ***Louvered Glazing***

- a) Fully operable louvered glazing is to be provided to the outer edge of balconies on Levels 1 to 9 fronting Epping Road from the roof to 20 cm above the balcony balustrade provided.
- b) The balcony balustrade will be provided to a height of 1395mm above floor level and the louvers will start at 1415mm above floor level.

- c) The gap between the balustrade and louvered glazing is to remain open in perpetuity and shall not be blocked, covered or otherwise tampered with.
- d) Details are to be submitted to Council for approval prior to the issue of a Construction Certificate.

**Reason:** To protect the amenity of future residents.

**88. *Reflectivity of External Finishes***

- a) External materials must be pre-colour coated on manufacture, having a low glare and reflectivity finish.
- b) The reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place.
- c) Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

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

**89. *Energy Provider Requirements for Substations***

- a) Documentary evidence to the satisfaction of the Certifying Authority is to accompany the application for a Construction Certificate confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.
- b) If a substation is required of the energy provider, it must be located internally within a building/s.
- c) Substations are not permitted within the front setback of the site or within the street elevation of the building; unless such a location has been outlined and approved on the Council stamped Development Application plans.
- d) Substations are not permitted within Council's road reserve.

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

**90. *Obscure Glazing for All Bathroom and WC Windows***

- a) All window openings servicing a bathroom and/or WC within each dwelling must have either frosted or obscure glazing.
- b) Details are to be provided on the plans and documentation accompanying the Construction Certificate application to the satisfaction of the Certifying Authority.

**Reason:** To ensure privacy to these rooms is adequately maintained.



### 91. ***Outdoor Lighting***

- a) 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.
- b) A detailed lighting plan demonstrating compliance with these requirements be submitted to the satisfaction of the Certifying Authority prior to the issue of any Construction Certificate.

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

### 92. ***Bicycle Storage and Parking***

- a) The bicycle storage areas must be capable of accommodating a minimum of ~~510~~ **518** bicycles within fixed bicycle rails.
- b) The bicycle storage areas and bicycle rail must be designed to meet the requirements of AS 2890.3:**2015 Parking Facilities Part 3 – Off-street Car Parking Facilities (2004)**.
- c) Details of compliance with this standard are to accompany a Construction Certificate application to the satisfaction of the Certifying Authority.

**Reason:** To promote and provide facilities for alternative forms of transport.

**(Condition modified by DA/468/2016/C on 07/03/2019)**

### 93. ***Car Share Provider***

- a) The Applicant shall provide written evidence demonstrating that offers of ~~a 12~~ car spaces to car share providers have been made together with the outcome of the offers or a letter of commitment to the service.
- b) The written evidence is to be submitted to Council prior to the release of the construction certificate.

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

**(Condition modified by DA/468/2016/C on 07/03/2019)**

94. **Visitor Parking**

- a) Each basement visitor car parking space is to be signposted.
- b) Details are to be provided with the application for each Construction Certificate.

**Reason:** To comply with Australian Standards.

95. **SEPP 65 Verification**

- a) A SEPP 65 Design Verification, issued by a registered architect, is to be provided with the application for a Construction Certificate detailing the construction drawings and specifications are consistent with the design quality principles in State Environmental Planning Policy No. 65 - Design Quality of Residential Flat Development (SEPP 65).

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

**Reason:** To comply with the requirements of SEPP 65.

96. **Security Bonds (Multi-Unit and Above)**

- a) In accordance with Section 80A(6)(a) of the *Environmental Planning and Assessment Act 1979*, security bonds will be payable to Council for the protection of the adjacent road pavement and public assets during construction works.
- b) The bond(s) is/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.
- c) The bond may be paid by EFTPOS, bank cheque, or be an unconditional bank guarantee.
- d) Should a bank guarantee be lodged it must:
  - i) Have no expiry date.
  - ii) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/468/2016.
  - iii) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.
- e) Should it become necessary for Council to uplift the bank guarantee, notice in writing will be forwarded to the applicant 14 days prior to such action being taken.

- f) No bank guarantee will be accepted that has been issued directly by the applicant.
- g) Bonds shall be provided as follows:

Bond Type	Amount
Hoarding Class A	\$2,500 per street frontage
Hoarding Class B	\$5,000 per street frontage

- h) 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 with the payment of the bond/s.
- i) 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.

97. ***Dilapidation Report***

- a) The applicant shall engage a suitably qualified person to prepare a pre- construction dilapidation report prior to the issue of a construction.
- b) This report is to ascertain whether any structural damage to adjoining buildings exists.

**Reason:** To ensure the proposed development does not have an unacceptable impact on adjoining properties.

98. ***Adaptable Dwellings for Multi-Unit and Residential Flat Buildings***

- a) The development must incorporate 47 adaptable dwellings.
- b) Plans submitted with the construction certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

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

99. ***Adaptable Dwellings for Multi-Unit and RFB's***

- a) At least 20% of all 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.

- b) Details shall be submitted to the satisfaction of the certifying authority prior to the issue of the Construction Certificate for each stage.

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

100. ***Submit Detailed Concept Development, Including Artwork***

- a) A Detailed Public Art Plan prepared by a suitably qualified and experienced public art consultant, in accordance with the 'Art in the Public Domain Guideline', shall be approved by Council prior to the issue of a Construction Certificate.
- b) The Public Art Plan is to include contextual and historical themes, and design details of each public art work, including concept drawings, scale and context, materials and finishes, timeline showing staging of the artwork, and an estimated budget, indicated on the approved plans.

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

101. ***Stormwater Disposal***

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

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

102. ***Retaining Walls***

- a) If no retaining walls are marked on the approved plans, no approval is granted as part of this approval for the construction of any retaining wall that is greater than 600mm in height, or within 900mm of any property boundary.
- b) The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated, then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior commencement of the works.
- c) Structural details, certified by a practicing structural engineer, shall accompany the application for a Construction Certificate for assessment and approval by the certifying authority.

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

103. ***Impact on Utilities***

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

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

104. ***Location of Mains Services***

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

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

105. ***Service Ducts***

- a) Service ducts, plumbing installations, and plants servicing the development must be concealed within the building to keep external walls free from service installations.
- b) Details are to be included within the plans and documentation accompanying each Construction Certificate application to the satisfaction of the Certifying Authority.

**Reason:** To ensure the quality built form of the development.

106. ***Collection and Discharge of Dirty Water from Car Wash Bay***

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

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

**107. Exhaust Fumes**

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

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

**108. Security Roller Shutters for Basement Car Parking**

- a) Where a security roller shutter or boom gate prevents access to visitor car parking, an intercom system is required to be installed to enable visitor access to the car parking area.
- b) Details of the system and where it is to be located is to accompany an application for a Construction Certificate, to the satisfaction of the Certifying Authority.

**Reason:** To ensure visitor carparking is accessible.

**109. Support for Council Roads, Footpath, Drainage Reserves**

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

**110. Work-as-Executed Plan**

- a) Works-As-Executed stormwater plans are to address the following:
    - i) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
    - ii) The Work-As-Executed plans have been prepared by a registered surveyor, certifying the accuracy of dimensions, levels, storage volumes, etc.
    - iii) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table).
    - iv) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
    - v) Certificate of Hydraulic Compliance from a qualified drainage/hydraulic engineer (refer to UPRCT Handbook).
    - vi) Approved verses installed Drainage Design (OSD) Calculation Sheet.
  - b) The above is to be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate, and a copy is to accompany the Occupation Certificate when lodged with Council.
- Reason:** To ensure works comply with approved plans and adequate information is available for Council to update the Upper Parramatta River Catchment Trust.

#### 111. ***Landscape Maintenance – Bed and Boxes***

- a) All planting beds and boxes shall have no less than 700mm soil level, with free draining soil mixes, in accordance with AS 4419:1998 – Soils for landscaping and garden use, and incorporated with drainage layers and pipes connecting to stormwater or drain.
- b) An automatic irrigation system shall be set up for the planting beds.
- c) The public domain construction documentation must include the full performance specifications for the installation and operation of the planters, and be submitted for the approval of Council officers prior to the issue of each construction certificate.

**Reason:** To ensure the appropriate streetscape is maintained.

#### 112. ***Landscape Section Details***

- a) Construction and section details of all proposed on-slab planter boxes showing substrate depth, drainage, waterproofing etc., for ground floor and roof top planter boxes are to be provided with each application for a Construction Certificate.
- b) Despite the requirements of any other conditions of consent, planter boxes located over on site detention tanks and/or podium

slabs are to have a minimum depth of 600mm for the planting of shrubs and/or trees, and a minimum of 300mm depth for turf/groundcovers proposed.

- c) The proposed soil depths are to be certified by the Landscape Architect to meet the requirements of the proposed species to be planted, and provided with each application for a Construction Certificate.

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

#### 113. **Noise Impacts on Residential Buildings**

- a) Prior to the issue of a Construction Certificate, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Parramatta City Council, stating that appropriate design and construction materials are to be utilised within the development, to ensure compliance with the following noise criteria specified for managing the noise impact on residential buildings from rail corridors and/or busy roads:
  - i) In any bedroom in the building: 35dB(A) between 10:00pm and 7:00am.
  - ii) Anywhere else in the building (other than a garage, hallway, kitchen or bathroom: 40dB(A) at any time.

**Reason:** Compliance with relevant noise amenity criteria in ISEPP 2007.

#### 114. **Submission of Reports**

- a) Prior to the issue of an occupational certificate (Interim or Final), written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta, stating that all works/methods/procedures/control measures approved by Council in the following reports have been completed:
  - i) Acoustic Report, dated ~~19 February 2017~~ **7 May 2019**, prepared by Acoustic Logic.
  - ii) Contamination Assessment, dated December 2015, prepared by Douglas Partners.
  - iii) Air Quality Assessment, dated 15 February 2016, prepared by SLR Consulting Australia Pty Ltd.
  - iv) Fire Safety Strategy Revision B, dated 25 May 2017, prepared by Core Engineering Group.

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

**(Condition modified by DA/468/2016/D on XX/XX/2019)**



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**115. Waste Storage Rooms**

- a) Storage rooms for waste and recyclables are to be provided within the development as indicated on the approved plans, and shall be constructed to comply with all the relevant provisions of City of Parramatta Council Development Control Plan (PDCP) 2011 including:
  - i) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
  - ii) The floor being graded and drained to an approved drainage outlet connected to the sewer, and having a smooth, even surface, coved at all intersections with walls;
  - iii) The walls being cement rendered to a smooth, even surface and coved at all intersections;
  - iv) Cold water being provided in the room, with the outlet located in a position so that it cannot be damaged, and a hose fitted with a nozzle being connected to the outlet.
- b) Details shall be indicated on the plans submitted with each Construction Certificate application that demonstrate compliance with these requirements to the satisfaction of the Principal Certifying Authority.

**Reason:** To ensure provision of adequate waste storage arrangements.

**116. Separation of Waste**

- a) Separate waste processing and storage facilities are to be provided for residential and commercial tenants in mixed use developments.
- b) These facilities should be designed and located so that they cannot be accessed by the public, and are accessible by a private waste contractor for collection.
- c) A caretaker is to be appointed by the managing body to be responsible for the management of all waste facilities as indicated in the Waste Management Plan.
- d) Prior to the issue of any Construction Certificate, a report including accompanying plans shall be submitted to the satisfaction of the Principal Certifying Authority that provides details of the private contractor that will be engaged to collect domestic waste from the subject site.
- e) If Council is not the principal certifying authority, a copy of this report and accompanying plans is required to be provided to Council.

- f) This report shall identify the frequency of collection and provide details of how waste products including paper, aluminium cans, bottles etc, will be recycled.
- g) Waste collection from the site shall occur in accordance with the details contained within this report.

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

#### 117. ***Appoint Waste Contractor***

- a) Prior to the issue of a construction certificate, a further report including accompanying plans shall be submitted and approved by Council that provides details of the private contractor that will be engaged to collect domestic waste from the site.
- b) This report shall identify the frequency of collection, and provide details of how waste products including paper, aluminium cans, bottles etc, will be recycled.
- c) Waste collection from the site shall occur in accordance with the details contained within this report.

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

#### 118. ***De-Watering of Excavated Sites***

- a) Any site excavation areas must be kept free of accumulated water at all times.
- b) Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in:
  - i) The pollution of waters,
  - ii) Nuisance to neighbouring properties, or
  - iii) Damage/potential damage to neighbouring land and/or property.
- c) A De-Watering Plan is required to be included and submitted to Council for review prior to issue of a Construction Certificate.

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

#### 119. ***Sydney Trains – Endorsement***

- a) The following items are to be submitted to Sydney Trains for review and endorsement prior to the issue of a Construction Certificate:
  - i) Machinery to be used during excavation/construction.
  - ii) If required by Sydney Trains, track monitoring plan detailing the proposed method of track monitoring during excavation and construction phases.

- iii) If required by Sydney Trains, a rail safety plan including instrumentation and the monitoring regime.
- b) The Principle Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

**Reason:** To comply with the requirements of Sydney Trains and ISEPP 2007.

120. ***Sydney Trains – Liability Cover***

- a) Prior to the issue of a Construction Certificate, the Applicant must hold current public liability insurance to cover for a sum to be determined by Sydney Trains.
- b) This insurance shall not contain any exclusion in relation to works on or near the rail corridor or rail infrastructure.
- c) The Applicant is to contact Sydney Trains Rail Corridor Management Group to obtain the level of insurance required for this particular proposal.
- d) Prior to issuing the Construction Certificate, the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the applicant on the level of insurance required.

**Reason:** To comply with the requirements of Sydney Trains and ISEPP 2007.

121. ***Sydney Trains – Bond***

- a) Prior to the issue of a Construction Certificate, the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works.
- b) The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains.
- c) Prior to issuing the Construction Certificate, the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.

**Reason:** To comply with the requirements of Sydney Trains and ISEPP 2007.

122. ***Sydney Trains – Acoustics***

- a) In exercising its functions in relation to any Sydney Trains conditions, Sydney Trains reserves the right to liaise with Transport

for NSW and impose any requirements (as advised by TfNSW) on their behalf as if they were Sydney Trains' requirements.

**Reason:** To comply with the requirements of Sydney Trains and ISEPP 2007.

123. ***Sydney Trains – Electrolysis***

- a) Prior to the issue of a Construction Certificate, the applicant is to engage an Electrolysis Expert to prepare a report on the electrolysis risk to the development from stray currents.
- b) The Applicant must incorporate in the development all the measures recommended in the report to control that risk.
- c) A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

**Reason:** To comply with the requirements of Sydney Trains and ISEPP 2007.

124. ***Sydney Trains – Lights and Signs***

- a) 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 Sydney Trains.
- b) The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

**Reason:** To comply with the requirements of Sydney Trains and ISEPP 2007.

125. ***Sydney Trains – Aerial Operations***

- a) Prior to the issuing of a Construction Certificate, the Applicant is to submit to Sydney Trains a plan showing all craneage, and other aerial operations for the development, and must comply with all Sydney Trains requirements.
- b) The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

**Reason:** To comply with the requirements of Sydney Trains and ISEPP 2007.

126. ***Sydney Trains – Construction Traffic Management***

- 
- a) The Applicant is advised that the Epping to Chatswood Railway Line (ECRL) will temporarily close from late 2018 to early 2019 for approximately six (6) to seven (7) months when the line undergoes conversion from suburban to metro operations.
  - b) During this time, rail replacement bus services will operate as part of the Temporary Transport Project (TTP) to continue public transport connections for customers.
  - c) Epping will be a key interchange where customers will transfer between rail services and the TTP bus services during the temporary closure of the ECRL.
  - d) The TTP bus services will utilise bus stops in Pembroke Street, Langston Place and Cambridge Street, with other local temporary changes to some existing bus services, as well as the temporary removal of car parking.
  - e) The TTP buses will add up to an additional 30 buses to Epping in the busiest peak one (1) hour in addition to the regular services that already serve Epping.
  - f) There is expected to be an increased pedestrian activity in the vicinity of the proposed development, with customers boarding and alighting from the replacement bus services in addition to the regular bus services.
  - g) It is considered that the proposed bus stop locations may conflict with the proposed construction traffic and parking/lay-over locations for this proposed development.
  - h) Figure 6.1 of the Traffic Report shows construction vehicles approaching via Langston Place and Pembroke Street directly interfacing with TTP bus movements, creating potential congestion and/or safety risks.
  - i) It should also be noted that the right turn movement from Langston Place into Epping Road will be removed for general traffic.
  - j) However, only during the period of TTP bus operation, a B-signal (buses only) will be provided to allow the right turn movement of buses from Langston Place into Epping Road.
  - k) As it is not clear if the Traffic Report for the proposed development has considered the additional TTP buses operating in the Epping area, the Applicant shall liaise with Sydney Metro Authority and submit to Sydney Trains and Sydney Metro Authority for endorsement of a revised Construction Management Traffic Report that takes into account the proposed conversion works at Epping, the TTP bus operations, and vehicular and pedestrian traffic changes.
  - l) The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the

Sydney Metro Authority confirming that this condition has been satisfied.

**Reason:** To ensure the proposal considers the likely impacts of the proposed changes to bus movements in the area.

### **Commencement of an Activity**

#### **127. *Geotechnical Investigation***

- a) Prior to the commencement of any excavation works on site, the applicant must submit for approval by the Council's Manager – Development Assessment, a geotechnical/civil engineering report which addresses (but is not limited to) the following:
  - i) The type and extent of substrata formations. A minimum of four (4) representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
  - ii) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result, potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.
  - iii) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
  - iv) The impact on groundwater levels in relation to the basement structure.
  - v) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.
  - vi) Where it is considered there is potential for the excavation to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

- vii) The recommendations resulting from the investigations are to demonstrate the works can be satisfactorily implemented. An implementation program is to be prepared along with a suitable monitoring program (where required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction.
- viii) The implementation program is to nominate suitable hold points for the various stages of the works in order verify the design intent before certification can be issued and before proceeding with subsequent stages.
- ix) The geotechnical report must be prepared by a suitably qualified consulting geotechnical/hydrogeological engineer with demonstrated experience in such investigations and reporting. It is the responsibility of the engaged geotechnical specialist to undertake the appropriate investigations, reporting and specialist recommendations to ensure a reasonable level of protection to adjacent properties and structures both during and after construction. The report must contain site specific geotechnical recommendations and must specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:
  - 1) No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
  - 2) No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
  - 3) No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
  - 4) Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
  - 5) Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
  - 6) An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater

damage according to the classification given in Table CI of AS 2870 - 1996.

- b) Certification from a qualified Geotechnical engineer that the detailed plans comply with the recommendations of the detailed geotechnical report must be provided to Council's Manager – Development Assessment prior to the release of a Construction Certificate.

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

128. **Noise Management Plan -Demolition, Excavation, and Construction**

- a) A noise management plan must be submitted to Council for approval prior to any work commencing, and complied with during any construction works.
- b) The plan must be prepared by a suitably qualified person, who possesses qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.
- c) The plan must include, but not be limited to the following:
  - i) Confirmation of the level of community engagement that has, is and will be undertaken with the Building Managers/occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
  - ii) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties during the main stages of work at neighbouring noise sensitive
  - iii) Outline the course of action that will be taken following receipt of a complaint concerning site noise, dust and/or vibration.
  - iv) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring properties to a minimum.
  - v) What plant and equipment is to be used on the site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring properties and other less intrusive technologies available.

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

129. **Appointment of Principal Certifying Authority**



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

130. ***Enclosure of the Site***

- a) The site must be enclosed by a 1.8m high security fence, erected wholly within the confines of the site to prevent unauthorised access.
- b) 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.

131. ***Public Liability Insurance***

- a) 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:
  - i) Above;
  - ii) Below; or
  - iii) On  
Any public land owned or controlled by Council.
- b) The public risk insurance must be maintained for the period during which these works are being undertaken.
- c) The public risk insurance must be satisfactory to Council, and list Council as an insured and/or interested party.
- d) 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

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conducted above, below or on any public land owned or controlled by Council.

**132. *Footings and Walls Near Boundaries***

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

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

**133. *Survey Report***

- a) A survey certificate is to be submitted to the Principal Certifying Authority at footing and/or formwork stage.
- b) 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.

**134. *'Dial Before You Dig' Service***

- a) 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.
- b) 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.

**135. *Erosion and Sediment Control Measures***

- a) Erosion and sediment control measures are to be installed in accordance with the publication 'Urban Stormwater: Soils and

Construction “The Blue Book” 2004 (4th edition) prior to the commencement of any demolition, excavation or construction works upon the site.

- b) These measures are to be maintained throughout the entire works.

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

#### 136. ***Sydney Trains***

- a) If required by Sydney Trains, prior to the commencement of works, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the applicant.
- b) These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed.
- c) The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

**Reason:** To comply with the requirements of Sydney Trains and ISEPP 2007.

#### 137. ***Roads and Maritime – Drawings***

- a) The developer is to submit design drawings and documents relating to the excavation of the site and support structures to Roads and Maritime for assessment, in accordance with Technical Direction GTD2012-001.
- b) The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of assessment by Roads and Maritime.
- c) The Report and any enquiries should be forwarded to:

Project Engineer, External Works  
Sydney Asset Management  
Roads and Maritime Services  
PO Box 973 Parramatta CBD 2124

Telephone: 8849 2114  
Fax: 5549 2766

- d) If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given

at least seven (7) days notice of the intention the excavate below the base of the footings.

- e) The notice is to include complete details of the work.

**Reason:** To protect public assets.

138. ***Roads and Maritime – Hydraulic***

- a) Detailed design plans and hydraulic calculations of any changes to the Roads and Maritime's stormwater drainage system are to be submitted to Roads and Maritime for approval, prior to the commencement of any works.
- b) Details should be forwarded to:  
Sydney Asset Management  
Roads and Maritime Services  
PO Box 973 Parramatta CBD 2124
- c) A plan checking fee will be payable and a performance bond may be required before Roads and Maritime approval is issued.
- d) With regard to Civil Works requirement please contact the Roads and Maritime Project Engineer, External Works telephone 8849 2114 or fax 8849 2766

**Reason:** To protect public assets.

**Strata Plan**

139. ***Strata Subdivision Certificate***

- a) A separate application must be made to Council to obtain approval of the strata plan under section 37 of the Strata Schemes (Freehold Development) Act 1973.
- b) 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*.

PENSC Non-standard - Prior to issue of Occupancy/Subdivision Certificate.

140. ***Road Dedication***

- a) Prior to the issue of an Occupation Certificate, the applicant shall:
  - i) Dedicate to Council, at no cost to Council, the land marked in yellow on plan SK -1811 Rev. A, dated 26/06/17 for the use as an unrestricted roadway. A covenant is to be placed on this lot, in favour of Council, noting that all of the lot's permissible FSR under Hornsby LEP 2012 has been utilised.

- ii)
- iii) Establish a public right of way on the area marked in red and purple on plan SK-1811 Rev. A, dated 26/06/2017 for use as an unrestricted road open to all traffic in perpetuity.
- iv) Establish a public right of way on the area marked green on plan SK-1811 rev. A, dated 26/06/2017 for use as pedestrian and bicycle public highway in perpetuity.

**Reason:** To ensure that public benefits are provided in keeping with the applicant's offer.

#### 141. ***New Road/Easements***

- a) The roadway hereby approved shall be constructed by the applicant, and all relevant dedications completed and easements registered, prior to registration of the Strata Plan.
- b) These requirements shall be fulfilled by the applicant at no cost to Council.

**Reason:** To ensure the provision of public rights of way and vehicular access prior to the occupation of development.

#### 142. ***Provision of Telephone Services***

- a) The submission of documentary evidence from the telecommunications provider authorised under the *Telecommunications Act 1997* confirming arrangements have been made for the provision of telephone services prior to the issue of a Subdivision Certificate.

**Reason:** To ensure appropriate telephone services are provided.

#### 143. ***Compliance with Development Consent***

- a) The subdivision certificate will not be issued until a final Occupation Certificate has been submitted to Council.

**Reason:** To ensure compliance with the *Environmental Planning and Assessment Act 1979* and conditions of consent.

#### 143A. ***Exclusion from Parking Permits***

Prior to issue of an Occupation Certificate or Subdivision 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 of each residential lot with disqualification from participation in any existing or future City of Parramatta Council on-street resident parking permit scheme. The authority to release must be the City of Parramatta Council.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through an application to the Land Titles Office using forms 13PC and 13RPA.

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

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

Reason: To reduce on-street parking demand.

(Condition added by DA/468/2016/C on 07/03/2019)

**143B. Car Share as Common Property**

Prior to issue of any Subdivision Certificate, the Certifying Authority is to ensure that the twelve (12) car share spaces are included within common property on the site. These spaces are 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.

(Condition added DA/468/2016/C on 07/03/2019)

**143C. Car Share Spaces Protected**

Prior to the issue of an Occupation Certificate, a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owners' corporation with the requirement to provide and maintain twelve (12) car share parking spaces on the site and provide public right of way to these spaces. The authority to release must be the City of Parramatta Council.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through an application to the Land Titles Office using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the car share spaces within the lot.

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

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

operators.

*(Condition added by DA/468/2016/C on 07/03/2019)*

## **Prior to Occupation**

### **144. *Civil Engineer Supervision***

- a) During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Public Domain Guidelines" 2016.
- b) Certification is required to be provided with the Occupation Certificate.

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

### **145. *Traffic Access Control***

- a) The traffic access management system required by Condition 69 of this determination, and approved by Council, shall be implemented and certified as working prior to the occupation of any residential or retail unit approved by this determination.

**Reason:** To ensure implementation of the traffic access management system.

### **146. *Broadband Access for Major Development 100 Dwellings/Units or Greater***

- a) Prior to the issue of any Occupation Certificate, the developer is to provide evidence that satisfactory arrangements have been made with the National Broadband Network (NBN) Company where relevant, and implemented at no cost to Council for the provision of broadband access to the development.

**Note:** For more information contact NBN Co. Development Liaison Team:

Call: 1800 881 816

Email: [newdevelopments@nbnco.com.au](mailto:newdevelopments@nbnco.com.au)

Web: [www.nbnco.com.au/NewDevelopments](http://www.nbnco.com.au/NewDevelopments).

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

### **147. *Tree Planting Above 25L Container Size***

- a) All trees supplied above a 25L container size must be grown and planted in accordance with Clarke, R 1996 Purchasing Landscape Trees: A guide to assessing tree quality. Natspec Guide No.2.
- b) Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown to Natspec guidelines.
- c) 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.

148. ***Schedule of Street Numbering***

- a) Prior to the issue of an Occupation Certificate, the developer must provide Council with a schedule of individual unit/street numbers as displayed within the development for identification purposes.
- b) The numbering sequence must be in accordance with the street numbering approval letter issued by Council.

**Reason:** To ensure developments are appropriately numbered.

149. ***Street Numbering***

- a) A street number is to be placed on each tower in a readily visible location from a public place prior to the issue of an Occupation Certificate.
- b) The numbers are to have a minimum height of 75mm.

**Reason:** To ensure a visible house number is provided.

150. ***BASIX Compliance***

- a) Under Clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. ~~662637M\_04~~, ~~662637M\_10~~ **662637M\_12**, will be complied with prior to occupation.

**Reason:** To comply with legislative requirements of Clause 97A of the Environmental Planning & Assessment Regulation 2000.

***(Condition modified by DA/468/2016/A on 22/02/2018 and DA/468/2016/D on XX/XX/2019)***

151. ***Intercom***



- a) Prior to the issue of any Occupation certificate an intercom system must be provided in a convenient location adjacent to the visitor parking entry.

**Reason:** To ensure convenient access is available for visitors to the building.

#### 152. ***The Release of Bond(s)***

- a) A written application to Council's Civil Assets Team for the release of a bond must quote the following:
  - i) Council's Development Application number; and
  - ii) Site address.
- b) 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.
- c) An Occupation Certificate is not to be issued until correspondence has been issued by Council detailing the bond has been released.

**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.

#### 153. ***SEPP 65 Verification Statement - Occupation Certificate Stage***

- a) A Design Verification issued by a registered architect is to be provided with the application for a 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 Part 2 of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development (SEPP 65).

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

**Reason:** To comply with the requirements of SEPP 65.

#### 154. ***Adaptable dwellings***

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

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

**155. *Post Construction Dilapidation Report***

- a) The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works.
- b) This report is to ascertain whether the construction works created any structural damage to adjoining buildings and or infrastructure.
- c) The report is to be submitted to the PCA prior to the issue of the occupation certificate.
- d) In ascertaining whether adverse structural damage has occurred to adjoining buildings/ infrastructure, the PCA must compare the post-construction dilapidation report with the pre-construction dilapidation report, and a copy of this report is to be forwarded to Council.

**Reason:** To establish any damage caused as a result of the building works.

**156. *TV Antenna***

- a) A single master TV antenna not exceeding a height of 3m above the finished roof level must be installed on each tower to service the development.
- b) A connection is to be provided internally to each dwelling/unit within the development, and connections are to be operable prior to the issue of an Occupation Certificate.
- c) Details of these connections are to be annotated on the plans and documentation accompanying each Construction Certificate application to the satisfaction of the Certifying Authority.

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

**157. *OSD Positive Covenant/Restriction***

- a) Prior to the issue of an Occupation Certificate, a Positive Covenant and Restriction on the Use of Land under Section 88E of the *Conveyancing Act 1919* must be created, burdening the owner with the requirement to maintain the onsite stormwater detention facilities on the lot.
- b) The terms of the instruments are to be generally in accordance with Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" to Council's satisfaction.

- c) Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through via an application to the Land Titles Office using forms 13PC and 13RPA.
- d) Accompanying this form is the requirement for a plan to scale showing the relative location of the On-Site Detention facility, including its relationship to the building footprint.
- e) Registered title documents showing the covenants and restrictions must be submitted to and approved by the Principal Certifying Authority prior.

**Reason:** To ensure maintenance of onsite detention facilities.

**158. *Reinstatement of Laybacks***

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

**Reason:** To provide satisfactory drainage.

**159. *Landscape Maintenance***

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

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

**160. *Waste Storage Rooms***

- a) Adequate ventilation to the waste storage room shall be provided in accordance with the requirements of the Building Code of Australia.
- b) 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 appropriate waste storage facilities are provided for future occupants.

**161. *Liveable Housing***

- a) Confirmation that 20% of the proposed units comply with the Liveable Housing Guidelines Silver Level design feature is to be

prepared by a suitably qualified consultant and submitted to Council prior to the issue of an Occupation Certificate.

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

**162. Sydney Trains**

- a) If required by Sydney Trains, prior to the issue of the Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the applicant.
- b) These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed.
- c) The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

**Reason:** To comply with the requirements of Sydney Trains and ISEPP 2007.

**163. Sydney Trains - As Built Drawings**

- a) Prior to the issue of an Occupation Certificate, the Applicant is to submit the as-built drawings to Sydney Trains, Transport for NSW and Council.
- b) The principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

**Reason:** To comply with the requirements of Sydney Trains and ISEPP 2007.

**164. Certification – Civil Engineer**

- a) Certification from a qualified civil engineer is to be provided prior to the issue of the relevant Occupation Certificate that all public area civil and drainage works (including the new road) have been completed in accordance with Council's "Public Domain Guidelines" 2016.

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

**165. Certification – Fire Safety**

- a) Prior to the issue of each Occupation Certificate, a final fire safety certificate must be issued as required by Clause 153 of the Environmental Planning and Assessment Regulation 2000.

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

**166. Certification – Landscaping**

- a) A qualified Landscape Architect/Designer must certify that the completed works are in accordance with the approved Public Domain Plan referenced in condition 66.
- b) All landscape works for the relevant stage must be completed prior to the issue of an Occupation Certificate for that stage.

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

**167. Certification – Artwork**

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

**Reason:** To comply with Development control requirements.

**168. Maintenance of Public Domain Works**

- a) A two-year (104 weeks) maintenance period, from the date of issue of the Occupation Certificate, is required to be carried out by the applicant for all the works constructed in the public domain.
- b) A Landscape maintenance schedule prepared by a qualified Landscape Architect shall be submitted to Council, prior to the issue of the Occupation Certificate, that specifies after Council's final approval who and how to maintain the public domain works during the 104 weeks.

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

**169. Outdoor Dining Areas**

- a) Separate consent shall be sought for use of any outdoor dining areas.
- b) Prior to the issue of an Occupation Certificate for a retail tenancy, the base structure/fixings for a standardized wind screening system will be installed in accordance with the Hornsby Shire Council Outdoor Dining Code, the Signage Design Guidelines and a supporting Tenancy Design Guideline. The Tenancy Design Guidelines are to ensure that a standard wind screening system is to

be used for any tenancy requiring outdoor seating, to create a precinct wide design solution that maintains pedestrian thoroughfares and a homogenous appearance.

The system provided must ensure that:

- Long term stationary wind criteria results are achieved within the outdoor seating areas;
- Pre-installed sockets/fixings are to be non-intrusive in design and not create trip or slip hazards;
- Apart from the fixings, the system must be demountable and able to be stored on-site, either within the tenancy or dedicated retail storage areas;
- The design and orientation of outdoor dining areas support local economic development and commercial vitality;
- The area contributes to the improvement (i.e. function and safety) of the streetscape;
- Pedestrians and other forms of traffic are not unduly obstructed by outdoor dining;
- Outdoor dining contributes to the amenity of adjoining or nearby properties; and
- Outdoor dining is compatible with other community uses of public space.

**Reason:** To ensure the amenity of the outdoor dining area.

**170. Green Travel Plan Fulfilment**

Prior to issue of the final residential Occupation Certification the Principal Certifying Authority is to be satisfied that the facilities provided on site are in accordance with the recommendations of the Green Travel Plan (Issue A) by GTA Consultants dated 19/12/2018.

**Reason:** To ensure implementation of the Green Travel Plan.

**(Condition added by DA/468/2016/C on 07/03/2019)**

**171. Green Travel Plan - Review**

One year from the issue of the Occupation Certificate, and every year for 3 years thereafter, the applicant shall submit to Council's Manager Development & Traffic Services a review of the effectiveness of the Green Travel Plan. The reviews shall include surveys of modal share and vehicle trip generation for the various land uses within the development during peak and off-peak periods. The review shall also include recommendations for improving the effectiveness of the plan. Any recommendations made to improve the effectiveness of the plan shall be incorporated into an updated Green Travel Plan.

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

***(Condition added by DA/468/2016/C on 07/03/2019)***

**172. Green Travel Plan – Strata Management Plan**

The Green Travel Plan shall be incorporated into or annexed to the strata management plan for the residential units in perpetuity.

**Reason:** To ensure implementation of the Green Travel Plan.

***(Condition added by DA/468/2016/C on 07/03/2019)***

**173. Green Travel Plan - Ongoing Use**

The facilities provided and the uses on site are to be operated at all times in accordance with the recommendation of the Green Travel Plan (Issue A) by GTA Consultants dated 19/12/2018 (and as modified by any review).

To clarify:

- a) Any recommendations listed as 'if possible' (or similar) in the plan are to be implemented.
- b) The free car-share memberships are to be provided for a minimum of one (1) year to the initial occupants of each unit.

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

**Reason:** To ensure implementation of the Green Travel Plan.

***(Condition added by DA/468/2016/C on 07/03/2019)***

**174. Car Share**

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

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

***(Condition added by DA/468/2016/C on 07/03/2019)***

**175. Use is not to cause offensive noise or vibration**

***The use of the premises not giving rise to:***

- a) transmission of unacceptable vibration to any place of different occupancy,***
- b) a sound pressure level measured at any point on the***

**boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.**

**Reason: To prevent loss of amenity to the area.**

**(Condition added by DA/468/2016/D on XX/XX/2019)**

**176. No 'offensive noise'**

**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.**

**(Condition added by DA/468/2016/D on XX/XX/2019)**

**177. Co-work Space Management Plan**

**Prior to issue of an occupation certificate for the commercial floor space on Level 1 of Tower 2, the applicant is to submit to the satisfaction of the Principal Certifying Authority a Co-work Space Management Plan.**

**The Co-work Space Management Plan is to outline how the first floor commercial uses will be separated/shared with the residential uses at that level and outline recommendations for minimising the potential for safety and amenity conflicts between the two uses.**

**The recommendations set out in the co-work space management plan required by this consent shall be implemented at all times during occupation of the building.**

**Reason: To ensure conflicts between uses on site are minimised.**

**(Condition added by DA/468/2016/D on XX/XX/2019)**