

ATTACHMENT B - CONDITIONS OF CONSENT

Revised 8 December 2020

SCCPP Reference:	PPSSCC-94
DA No:	DA/179/2020
Address:	14-20 Parkes Street – Harris Park

APPROVAL SUBJECT TO CONDITIONS

Pursuant to Section 4.16(1) of the Environmental Planning and Assessment Act, 1979:

That the Sydney Central City Planning Panel, as the determining authority, grant consent to Development Application No. DA/179/2020 for the construction of a 39-storey mixed use development containing ground floor commercial/retail and 294 apartments on land at 37-39 Hill Road, Wentworth Point for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the following conditions:

DRAFT CONDITIONS OF CONSENT (DA/179/2020)

GENERAL MATTERS

Approved Plans and Supporting Documentation

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

Architectural Drawings

Plan Title	Plan No.	Issue	Prepared By	Dated
Cover Page	AH31 - DA001	C	Aland	13.10.2020
Site Plan	AH31 – DA002	B	Aland	21.08.2020
Demolition Plan	AH31 – DA003	B	Aland	17.09.2020
CGI Podium	AH31 – DA004	B	Aland	18.09.2020
CGI Façade Roof	AH31 – DA005	C	Aland	13.10.2020
Basement 5	AH31 – DA100-A	B	Aland	10.09.2020
Basement 4	AH31 – DA100	B	Aland	10.09.2020
Basement 3	AH31 – DA101	B	Aland	17.09.2020
Basement 2	AH31 – DA102	B	Aland	11.09.2020
Basement 1	AH31 – DA103	B	Aland	15.09.2020
Ground Floor	AH31 – DA104	C	Aland	19.10.2020
Level 1	AH31 – DA105	B	Aland	16.09.2020
Level 2	AH31 – DA106	B	Aland	15.09.2020
Level 3	AH31 – DA107	B	Aland	15.09.2020
Level 4	AH31 – DA108	B	Aland	17.09.2020
Level 5 to 31	AH31 – DA109	B	Aland	17.09.2020
Level 32	AH31 – DA110	B	Aland	17.09.2020
Level 33 to 38	AH31 – DA111	B	Aland	17.09.2020
Roof Plan	AH31 – DA112	C	Aland	13.10.2020
Section A and B	AH31 – DA200	C	Aland	13.10.2020
Elevations	AH31 – DA201	C	Aland	16.10.2020

Elevations	AH31 – DA202	C	Aland	16.10.2020
Façade Detail	AH31 – DA203	B	Aland	17.09.2020
Façade Details	AH31 – DA203-A	B	Aland	18.09.2020
Adaptable Units	AH31 – DA204	B	Aland	17.09.2020

Design Excellence Commitment

Document Title	Plan No.	Issue	Prepared By	Dated
Design Letter	-	-	SJB	16.10.2020

Civil Drawings

Plan Title	Plan No.	Issue	Prepared By	Dated
Cover Sheet	20180051 Drawing SW100	C	SGC Consulting Engineers	13.03.2020
Basement 4 (Sheet 1 of 2)	20180051 Drawing SW201	C	SGC Consulting Engineers	13.03.2020
Basement 4 (Sheet 2 of 2)	20180051 Drawing SW202	C	SGC Consulting Engineers	13.03.2020
Ground Floor (Sheet 1 of 2)	20180051 Drawing SW203	C	SGC Consulting Engineers	13.03.2020
Ground Floor (Sheet 2 of 2)	20180051 Drawing SW204	C	SGC Consulting Engineers	13.03.2020
Roof Plan	20180051 Drawing SW205	C	SGC Consulting Engineers	13.03.2020
Details (Sheet 1 of 2)	20180051 Drawing SW301	C	SGC Consulting Engineers	13.03.2020
Details (Sheet 2 of 2)	20180051 Drawing SW301	C	SGC Consulting Engineers	13.03.2020
Erosion & Sediment Control Plan	20180051 Drawing SW401	C	SGC Consulting Engineers	13.03.2020
Music Catchment Plan	20180051 Drawing SW501	C	SGC Consulting Engineers	13.03.2020

Landscape Drawings

Plan Title	Plan No.	Issue	Prepared By	Dated
Ground Floor	1987.GD.01	E	Greenland Design	17.09.2020
Level 4	1987.GD.02	E	Greenland Design	17.09.2020
Level 32	1987.GD.03	E	Greenland Design	17.09.2020
Details and Specifications	1987.GD.04	E	Greenland Design	17.09.2020

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Waste Management Plan	SO100098	F	Elephants Foot	17.09.2020
Reflectivity Assessment	610.18621	2.1	SLR	15.09.2020
CPTED Response & Analysis	-	-	Aland	Aug 2020
Environmental Wind Tunnel Study	610.30047.00000	5.0	SLR	06.11.2020

Flood Study Report	20180051-R01	F	SGC	18.09.2020
Flood Emergency Response & Evacuation Plan	20180051-R02	E	SGC	18.09.2020
Acoustic Report	SYD2020-1014-R001	D	Acouras Consultancy	17.09.2020
Access & Adaptability Assessment Report	183/AMS01/01GS	C	Access Mobility Solutions	21.09.2020
Basix Certificate (as amended by Condition 67 of this consent)	994143M_03			18.09.2020
Arborist Report and Tree Management Plan	5547	-	Redgum Horticultural	13.03.2020
Acid Sulfate Soils Management Plan	E24140.E14	1	EI Australia	21.02.2020
Preliminary Site Investigation	E24140.E01	1	EI Australia	17.02.2020
Geotechnical Report	E24140.G01	1	EI Australia	14.02.2020
Statement of Heritage Impact (including Aboriginal Heritage Due Diligence, Interpretation/Public Art Strategy)		-	Cracknell & Lonergan Architects	Revision 01.05.2020
Traffic Management Report	18NL349-T10	-	Loka Consulting Engineers	08.04.2020

Note: In the event of any inconsistency between the architectural drawings, landscape drawings, civil drawings or photomontages, the architectural drawings shall prevail to the extent of the inconsistency.

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

Building Work in Compliance with BCA

2. 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.

Construction Certificate

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

Reason: To ensure compliance with legislative requirements.

Staging of Works

- 3A. Unless otherwise stated, all relevant terms and conditions are to be met for any Construction Certificate to be issued for those development components being approved as part of that Construction Certificate.

Note: It is acknowledged that separate construction certificates may be issued for separate components within each stage.

Reason: To confirm the potential proposed separate stages of construction.

No Encroachment on Council and/or Adjoining Property

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

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

Compliance with Planning Agreement

5. The development is to comply with the terms and conditions specified within the agreed planning agreement executed on 16 June 2020.

Reason: To ensure the requirements of the agreed voluntary planning agreement are complied with during the development process.

WaterNSW General Terms of Approval

6. The development shall comply with the requirements of the General Terms of Approval in the Water NSW letter **Reference Number IDAS1128124** dated **07 October 2020**.

Reason: To comply with WaterNSW integrated requirements.

Public Utility Relocation

7. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer.

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

Design Excellence Preservation

8. The architectural firm(s) responsible for the design competition winning scheme (SJB) is not to be changed without prior notice and approval of Council's Group Manager, Development and Traffic Services.

Reason: To ensure the development maintains the approved design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011.

Design Excellence Preservation

9. There are to be no design changes to the design competition winning scheme unless they have been endorsed by Council's Design Competition Panel (Design Excellence Jury).

Reason: To ensure the development maintains the approved design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011

Car Parking Allocation

10. The approved car parking spaces are to be allocated as follows in perpetuity:

- (a) Residential Occupant Maximum – **204** spaces (including at least **30** accessible space)
- (b) Car Share Minimum – **1** space
- (c) Car Wash Bay Space – **1** space.

Details demonstrated compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to the release of the relevant Construction Certificate and Occupation Certificate.

Reason: To ensure car parking is allocated to nominated uses within the development in accordance with the requirements of Parramatta Local Environmental Plan 2011.

Flood Design Requirements

11. The following flood related matters apply to the development:

- (a) The minimum finished floor level of all habitable rooms must be the Flood Planning Level which for this development is RL 8.9m AHD.
- (b) 'Sensitive Uses and Facilities' and 'Critical Uses and Facilities,' as defined in Table 2.4.2.1.1 of the Parramatta DCP 2011 Section 2.4.2. Water Management, are not permitted within the building.
- (c) The habitable floors of all residential uses within the building must be above the Probable Maximum Flood (PMF) which is RL 9.4m AHD as adopted by Council for this site.
- (d) Permanent and temporary commercial or retail floor space or uses are not permitted below the Flood Planning Level, which is RL 8.9m AHD.
- (e) To maintain local flood conveyance eastwards from Parkes St, Wigram Street and into the Clay Cliff Creek stormwater floodway, development on the site must have a ground level building footprint that is setback a minimum of 6 metres from the top of the southern outer edge of the Clay Cliff Creek stormwater channel, and a greater amount for the north west corner of the building adjoining Wigram Street (channel wall) in accordance with diagram

shown in the DCP for this site and generally in accordance with the amended architectural drawings by Aland labelled 'Amended Updated Floor Plans' Rev B dated 18.09.2020.

Note - the rear external stairs leading from the internal car parking area to the rear foreshore will need to be relocated to comply with the minimum 6m setback requirements.

- (f) Any cantilever building element (excluding any structural support columns or similar) must have a minimum 4 metre clearance above the ground surface level of the overland flow path throughout the site to enable a landscaped open space to be created. A minimum 4.5 metre setback between the channel bank and the building must be maintained above this clearance height.
- (g) The 6m and wider floodway setback area must be landscaped with a combination of 'soft' and 'hard' landscape treatments. Soft landscape includes provision of deep soil and deep rooted trees, smaller trees, shrubs and ground cover to Council's satisfaction. Some elements of the soft landscape may not withstand occasional severe flooding and maintenance must allow for this. Soft landscape is not considered an obstruction to the flood flowpath. 'Hard' landscape treatment is to include a paved pathway and furniture, seating, safety fencing to the concrete channel, accessible ramps, stairs and lighting. These hard landscape elements must be designed to generally withstand the forces of flowing floodwaters and cause minimum obstruction to the flood flow. Note there are additional design criteria for this area set out elsewhere in this Consent.
- (h) Wherever possible, critical services infrastructure that could be damaged by flooding such as electrical, lifts, sewer and water are to be placed above the PMF level, or, where that cannot reasonably be achieved, effectively floodproofed up to the PMF level which is RL 9.4m AHD.
- (i) All building occupants (residents, workers and visitors) must have access to a safe refuge facility or 'shelter in place') above the PMF level of RL 9.4m AHD where they can remain until the flood event has passed and any subsequent disruption after the flood has been rendered safe and serviceable. Given these would likely be catastrophic conditions, the time required for people to remain in the refuge is potentially up to 48 hours. While residents may choose to remain in their own apartments as a safe area of refuge, a communal safe area(s) of refuge for residents, workers and visitors must also be provided and be suitably sized and equipped.
- (j) The communal safe area of refuge must have:
 - emergency electricity supply, clean water, food, personal washing facilities, medical equipment including a first aid kit, a battery-powered radio and relevant communications equipment.
 - all designated safe areas of refuge must have fail-safe access from anywhere in the building including the basement (lift access is not allowed) that is protected from floodwaters up to the PMF (RL 9.4m AHD) by suitable flood doors, flood gates and the like.
- (k) A fail-safe access must be provided to an exit/entry point located above the Flood Planning Level which is RL 8.9m AHD that enables people to exit the building during a fire and/or a 1% AEP flood, and allows emergency service personnel to enter a building to attend to a medical emergency in these conditions.
- (l) To minimise the chance of a fire during a flood situation, the building must have a fire management system which meets the Australian Building Code Board (ABCB).
- (m) External fire doors must be located above the Flood Planning Level which is RL 8.9m AHD.

Reason: To comply with Council flooding requirements.

Protection of Street Trees

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

Reason: To ensure adequate protection of existing environmental assets and to maintain public amenity.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

Section 7.12 Contributions

13. A monetary contribution comprising **\$2,072,860.80** is payable to City of Parramatta in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the *Parramatta City Centre S94A Development Contribution Plan (Amendment No. 4)*. Payment must be by EFTPOS, bank cheque or credit card only.

The contribution required by this condition must be paid before the issue of the first occupation certificate in respect of any building to which this consent relates. In that instance, an occupation certificate cannot be issued until Council have confirmed in writing that the contribution levy has been received in full.

Note however that payment of the contribution will be required prior to the issue of any Construction Certificate if no Construction Certificate in respect of the erection of any building to which the consent relates has been issued before or on 25 September 2022 (or later if extended by the NSW Government), the monetary contribution must be paid before the issue of the any Construction Certificate after that date for any such building.

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

Parramatta Section 94A Development Contributions Plan (Amendment No. 4) can be viewed on Council's website at:

http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions

Reason: To comply with legislative requirements.

Long Service Levy

14. A Construction Certificate is not to be issued unless the Principal Certifying Authority is satisfied the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

Reason: To ensure that the levy is paid.

Environmental Enforcement Service Charge

15. An Environmental Enforcement Service Charge must be paid to Council prior to the issue of any Construction Certificate. 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.

Infrastructure & Restoration Administration Fee

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

The fee will be in accordance with 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.

Security Bonds

17. In accordance with Section 4.17(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds payable to Council for the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application/approval associated with the allotment, (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate is not required.

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent **DA/179/2020**;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

Bond Type	
Hoarding <i>(\$10,609.00 per street frontage)</i>	\$21,218.00
Development Site	\$25,750.00
TOTAL	\$46,968.00

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.

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.

Security Bond – Street Trees

18. A security bond of \$2,121.80 per street tree shall be deposited with Council to guarantee the protection of the adjacent public street trees during demolition/construction works in accordance with Section 4.17 of the *Environmental Planning and Assessment Act 1979* and Council's adopted Fees and Charges. The bond is to be lodged with Council prior to the issue of a Construction Certificate, and prior to any demolition works being carried out where a Construction Certificate has not been issued or not required.

Reason: To ensure adequate protection of existing environmental assets and to maintain public amenity.

No External Service Ducts

19. Service ducts, plumbing installations and plant servicing the development must be concealed within the building to keep external walls free from service installations. Details are to be included within the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Principal Certifying Authority.

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

Single Master TV antenna

20. A single master TV antenna must be installed on the building to service the development. A connection is to be provided internally to each dwelling/unit within the development. Details of these connections are to be annotated on the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Principal Certifying Authority. The connections are to be operational prior to the issue of any Occupation Certificate.

Reason: To protect the visual amenity of the area.

SEPP 65 Verification

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

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

Reason: To comply with the requirements of SEPP 65.

Adaptable Dwellings

22. At least **30** adaptable residential units shall be provided. Plans submitted with the relevant 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.

Note: Consideration is to be made that adaptable housing should be possible at relatively little extra initial cost. Later modification to adaptable housing will prove relatively easy to do at minimum inconvenience and minimum cost in accordance with AS4299 Principle (b)

Reason: To ensure the required adaptable dwellings are provided.

Liveable Housing

23. At least **59** of the residential units (of which 30 will be adaptable as per condition 22) shall be designed and fit-out to achieve the 'silver level' requirements as set out in the Liveable Housing Design Guidelines Details published by Liveable Housing Australia. Details shall be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

Reason: To ensure the required liveable dwellings are provided.

Accessibility

24. The following additional accessibility matters shall be addressed within the Construction Certificate to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate:

- (a) Provision for compliance with AS 1428.1 for door approaches AS4299 4.3.7
- (b) Garbage chutes are to provide suitable fixtures for person's with a disability to reach and operate.
- (c) All doors leading to outside areas are to provide low level sills
- (d) Features within the communal areas are to provide accessible and inclusive design, including, kitchen, BBQs, play equipment and seating/tables.

Reason: To provide for appropriate accessible areas.

Storage Provision

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

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

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

Specialist Reports

26. The recommendations in the specialist reports outlined in Condition 1 of this consent shall be incorporated into the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Principal Certifying Authority.

A list of all of the recommendations and how they have been actioned shall be provided to Council.

Reason: To ensure the development is implemented as proposed.

Obscure Glazing

27. All window openings servicing a bathroom and/or WC within each dwelling must have either frosted or obscure glazing. 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 adjoining sites is adequately maintained.

Access and Services for People with Disabilities

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

Location of Mains Services

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

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

External Walls and Cladding Flammability

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

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

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

Submit Detailed Concept Development, Including Artwork

31. A Detailed Public Art Plan prepared by a suitably qualified and experienced public art consultant, developed in accordance with the City of Parramatta's 'Interim Public Art Guidelines for Developers' and the concept Public Art Strategy by **Cracknell & Lonergan Architects** dated **1 May 2020** shall be submitted to and approved by Council's Service Manager of City Animation, prior to the issue of the relevant Construction Certificate.

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.

Design Winner Ongoing Involvement

32. Prior to the issue of any Construction Certificate evidence must be provided to the satisfaction of Council's Group Manager, Development and Traffic Services that the architectural firm(s) responsible for the design competition winning scheme (or Registered Architect appointed as per Condition 8) have been commissioned, and will have direct and ongoing involvement in the design documentation and construction stages of the project, including signing off any required certifications for the Development Application, Modification Applications, Construction Certificate and Occupation Certificate stages.

Reason: To ensure the development exhibits design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011.

Design Jury Review

33. Prior to the issue of the relevant Construction Certificate(s), evidence must be provided to the satisfaction of Council's Group Manager, Development and Traffic Services that Council's Design Competition Panel (Design Excellence Jury) has confirmed that the architectural drawings, landscape drawings and samples of all external materials, in particular the external glazing and façade detailing, are consistent with the design competition winning scheme.

Reason: To ensure the development exhibits design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011

Design Excellence Details

34. Prior to the issue of the relevant Construction Certificate, documented details (photos, videos) and an accompanying report of the 1: 1 manufactured visual mock-up (VMU) of key junctions of the external glazed facade (minimum 3m x 3m dimensions) must be submitted to, and approved by, Council's City Architect, Design Excellence Jury and Environmentally Sustainable Development

consultant.

Reason: To ensure the development exhibits design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011.

Design Excellence Details

35. Prior to the release of the relevant construction certificate the applicant shall submit for the approval of the City Architect, key cross sections, partial plans and partial elevations through external walls, balconies, pergolas and other key external details. Drawings are to be fully annotated at a scale of 1:50 (or if necessary 1:20) showing details, materials, finishes and colours, so that the details and materiality of the external facades are clearly documented. Revised 3D photomontages should also be submitted. The development shall be completed in accordance with the plans approved to satisfy this condition.

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

Energy Provider Requirements

36. Documentary evidence from Endeavour Energy is to be submitted to the satisfaction of the Principal Certifying Authority confirming that satisfactory arrangements have been made for the removal of the existing substation (including the release of easement) and the connection of electricity and the design requirements for the new substation, prior to the release of the Construction Certificate.

Note: As part of the application for connection of load to Endeavour Energy's Network Connections Branch the applicant will also need to make application for relocation / removal of the existing indoor substation. The applicant is encouraged to approach a Level 3 ASP to obtain preliminary details of the assets and discuss possible solutions to the requirements of the development. The applicant must provide as much detail as possible concerning the electrical assets they wish to relocate / remove. Endeavour Energy's Network Connections Branch will also make the applicant or their ASP aware of the requirements to seek the release of the existing easement over the site.

Reason: To comply with Endeavour Energy requirements.

Freight and Servicing Management Plan - TfNSW

37. Prior to the issue of any construction certificate, the applicant shall prepare a detailed Freight and Servicing Management Plan in consultation with the Sydney Coordination Office within TfNSW. The applicant shall submit a copy of the final plan to the Coordinator General, Transport Coordination within TfNSW for endorsement. The Plan needs to specify, but not be limited to, the following:

- Details of the development's freight and servicing profile, including the forecast freight and servicing traffic volumes by vehicle size, frequency, time of day and duration of stay for residential and retail uses;
- Details of loading and servicing facilities within the site which adequately accommodate the forecast freight and servicing traffic volumes of the of the residential and retail uses of the development (including long dwell time service vehicles) so as to not rely on the kerbside restrictions to conduct the development's business, including any necessary provision of greater loading bay capacity;
- Measures to ensure there is no queuing of freight and service vehicles including details of alternative parking locations to redirect vehicles if queuing occurs;
- Management of conflicts between freight and service vehicles entering and exiting the site simultaneously;
- Loading bay management details including controls of duration of delivery vehicle stay;
- Management details to ensure all long-term loading and servicing is accommodated within the loading dock;
- Procedures for tradesman access and parking;
- Details on how the loading area will be managed and used by all building tenants; and
- Details of a pre-booking system.

The Freight and Servicing Management Plan shall be implemented by the applicant following the issue of the Occupation Certificate.

Reason: To comply with TfNSW requirements.

Redesign of Refuge Areas

38. The refuge area on Level 1 that is to be permanently set aside for 'shelter in place' (flooding) is to be upgraded to provide suitable facilities for occupants for an appropriate length of time as the impacts of severe flooding and its aftermath are experienced across this locality and the city. The area is to be designed to incorporate the requirements contained within Section 4.3.3.7 of Parramatta DCP 2011. Details are to be submitted to the satisfaction of Council's Group Manager, Development and Traffic Services before the issue of a Construction Certificate.

Note: This will be in circumstances where evacuation is not available and access to the facility by emergency services may be difficult or not possible.

Reason: Ensuring safe refuge for building occupants during floods.

Flooding Design Details

39. Adequate documentary evidence must be submitted to Council's Group Manager DTSU for approval prior to the issue of a Construction Certificate incorporating the following matters within the building design:

- (a) an early flash-flood warning system, triggered by rainfall forecasting, must be provided to advise occupants and those in the adjacent public domain of imminent flash flooding. This may be done in collaboration with Council, the SES and The BoM. Details must be incorporated in the Flood Emergency Response Plan
- (b) the sealing of all doors, ventilation ducts or other openings up to a height/level of RL 9.4 m AHD, to prevent the ingress of overland flows into the basements
- (c) back-up power generator capable of supplying all the electrical needs of the refuge facility for 48 hours
- (d) installation of a sealed sewage tank under the basement carpark to temporarily hold sewage overflows for up to 48 hours (or for a time period otherwise demonstrated as appropriate) in the event that the sewage system ceases to operate due to flooding in Clay Cliff Creek or the Parramatta River
- (e) installation of a potable water tank (or appropriate alternate supply and management system) for back-up water supply (for drinking) in the event that the water supply systems cease to operate for a period of up to 48 hours due to flooding in Clay Cliff Creek or the Parramatta River
- (f) water level sensor and logic controls included within the operation of all passenger lifts to ensure any lift does not descend into flood waters in the event of a major flood inundating the basement car park or ground floor of the building
- (g) flood gate for the basement carpark to provide flood immunity up to the PMF level which is RL 9.4m AHD
- (h) a flood evacuation stairway from all basement levels directly without obstruction to the flood refuge on the first floor. Floodwaters shall be excluded from this stairway and the basement up to the PMF level which is RL 9.4m AHD, using flood doors or flood gates.
- (i) An unobstructed stairway between the ground floor and the first floor near to the flood refuge to enable people to escape floodwaters at ground level and to enable emergency access to the flood refuge, basement and building in general.

Reason: To comply with Council's flooding requirements.

Flood Protection Measures

40. Passive (non-mechanical) flood protection to the Flood Planning Level, which is RL 8.9m AHD, is required to be provided to all of the basement car park entries and openings from ground floor level (driveways, stairwells, lifts, service cores etc. and any other vertical openings) by provision of crests and continuous bunding. This must be shown on plans submitted to Council's Group Manager DTSU for approval prior to the release of the Construction Certificate.

All vehicular and pedestrian entry points and other openings to the basement level, including fire stairs that exit the building below the PMF level, are to be protected with automatic, fail-safe systems such as increased crest levels or self-actuated flood gates and/or flood doors up to the PMF level which is 9.4 m AHD.

Stairways and lifts within the building that connect the basement levels to the shelter in place refuge on the first floor above the PMF level must be protected from inundation by approved self-operating

flood barriers and/or flood doors up to the PMF level or as high as practicable, to prevent water from entering the basement levels.

Designs must include adequate ventilation of the basement carpark during severe floods up to the PMF event. For example, the inlet/outlet vents of ventilation shafts are to be located well above the PMF level.

Flood proof gates and doors and any other necessary measures such as protection of vents and openings, must be installed and maintained in fully operational condition in perpetuity as part of the Building Management Plan.

Reason: To comply with Council's flooding requirements.

Flood Design Compliance

41. Prior to the release of a Construction Certificate, certification from a qualified and experienced flood engineer must be submitted to the satisfaction of the Principal Certifying Authority to demonstrate that:

- (a) The minimum finished floor level for any residential rooms is set at the PMF level of RL 9.4m AHD.
- (b) All building and landscape construction below the PMF level of RL 9.4m AHD is designed to be inundated and to resist the forces of moving floodwaters, water-borne debris and flotation.
- (c) The finished floor levels of all habitable rooms / floors are at or above the Flood Planning Level which is RL 8.9m AHD.

Details must be shown on the plans submitted to the Principal Certifying Authority for approval prior to release of any Construction Certificate.

Reason: To comply with Council's flooding requirements.

Basement Tanking

42. The basement walls, floor slab and joins must be fully tanked (waterproofed) and designed to withstand hydrostatic loading from adjacent groundwater. Council does not permit a 'drained' basement nor pumping out of such groundwater into the Council stormwater system.

Prior to finalising the Construction Drawings for submission, a Geotechnical Report shall be prepared specifically for the development site, by a suitably qualified Geotechnical Engineer. The Structural & Foundation designs and the excavation methods proposed for the development shall be assessed in accordance with the requirement for fully tanked construction and consequent recommendations made in the Geotechnical Report. In this regard, a Structural Certification from a suitably qualified structural engineer shall be submitted with the application for Construction Certificate, addressing that the final design drawings are adequate for tanked construction and otherwise prepared in accordance with the recommendations of the Geotechnical Report. A copy of the Geotechnical Report shall be submitted for approval by the Certifying Authority. The Geotechnical / Civil engineering report shall address (but is not limited to) the following:

- i. The type and extent of substrata formations by the provision of a minimum of 4 representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs shall be related to Australian Height Datum.
- i. The appropriate means of excavation/shoring and proximity to adjacent property and structures. Potential vibration caused by the method of excavation and potential settlements affecting nearby footings/foundations shall be discussed and ameliorated.
- ii. The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property structures and road reserve if nearby (full support to be provided within the subject site).
- iii. The existing groundwater levels in relation to the basement structure, where influenced.
- iv. The drawdown effects on adjacent properties (including road reserve), if any, the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater. Where it is considered there is the potential for the development to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without

a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path is constructed, artificial drains such as perimeter drains and through drainage may be utilised.

- v. Recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program (as required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.

The geotechnical report must be prepared by a suitably qualified consulting Geotechnical / Hydro Geological engineer with previous 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 property and structures both during and after construction. The report shall contain site specific geotechnical recommendations and shall specify the necessary hold/inspection points by relevant professionals as appropriate. The design principles for the geotechnical report are as follows:

- i. No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- i. 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.
- ii. 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.
- iii. 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.
- iv. Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
- v. 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 C of AS 2870 - 1996.

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

Stormwater Disposal

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

Reason: To ensure satisfactory stormwater disposal.

Water Treatment for Stormwater

- 44. Stormwater water quality treatment devices must be installed to manage surface runoff water to satisfy Section 3.3.6.1 of Parramatta Development Control Plan 2011. Details of the proposed devices and their location must accompany the application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

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

Shoring Adjoining Council Property

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

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

De-watering of Excavation Sites

- 46. Any site excavation areas must be kept free of accumulated water at all times.

Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in:

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

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

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

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

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

Reason: To protect against subsidence, erosion and water pollution during excavation.

Retaining Walls

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

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

Structural details, certified by a practicing structural engineer, shall accompany the application for the relevant Construction Certificate for assessment and approval by the Principal Certifying Authority.

Reason: To minimise impact on adjoining properties.

Sydney Water Tap In

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

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

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

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

Sydney Water's Tap in™ online service is available at:
<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>

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

Dial Before You Dig Service

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

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

Basement Carpark and Subsurface Drainage

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

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

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

Reason: To ensure satisfactory storm water disposal.

Collection and Discharge of Dirty Water from Car Wash Bay

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

Reason: To ensure satisfactory storm water disposal.

Construction of a Heavy Duty Vehicular Crossing

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

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

Reason: To ensure appropriate vehicular access is provided.

Exhaust Fumes

53. All mechanical exhaust ventilation from the car park is to be ventilated at roof level, 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' and any other relevant Australian Standards. Details showing compliance are to accompany the relevant application for a Construction Certificate to the satisfaction of the Principal Certifying Authority.

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

Impact on Existing Utility Installations

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

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

Support for Council Roads, Footpath, Drainage Reserve

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

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

Reason: To protect Council's infrastructure.

Acid Sulfate Soils Management

56. A detailed acid sulfate soils management plan is to be prepared as per the recommendations contained within Section 5 of the Geotechnical Report prepared by EI Australia dated 14.02.2020. This report is to be submitted to the satisfaction of the Principal Certifying Authority before the issue of any Construction Certificate.

Reason: To ensure acid sulfate soils are adequately managed on site.

Site Investigation & Site Audit Statement

57. Following demolition activities, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. The soil investigation shall be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites and the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007.

A site audit statement shall be issued at the completion of the investigation (and any remedial works required) by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme. A copy of the report is to be provided to Council before the issue of a Construction Certificate.

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

Construction Noise Management Plan

58. A noise management plan must be prepared in accordance with the NSW Department of Environment, Climate Change and Water 'Interim Noise Construction Guidelines 2009' and accompany the application for any Construction Certificate. The Principal Certifying Authority must be satisfied the Construction Noise Management Plan will minimise noise impacts on the community during the construction of the development.

The Construction Noise Management Plan must include:

- (a) Identification of nearby residences and other sensitive land uses.
- (b) Assessment of expected noise impacts.
- (c) Detailed examination of feasible and reasonable work practices that will be implemented to minimise noise impacts.
- (d) Community Consultation and the methods that will be implemented for the whole project to liaise with affected community members to advise on and respond to noise related complaints and disputes.

Reason: To prevent loss of amenity to the area.

Separation of Waste

59. Separate waste processing and storage facilities are to be provided for residential and commercial tenants in mixed use developments. These facilities should be designed and located so that they cannot be accessed by the public, and are accessible by a private waste contractor for collection.

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

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

Waste Storage Visibility

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

Reason: To maintain the amenity of the area.

Garbage Chutes

61. The garbage chutes must be designed in accordance with the requirements of the Building Code of Australia and the Department of Environment and Climate Change Better Practice Guide for Waste Management in Multi-Unit Dwellings. Details are to be provided on the plans and documentation accompanying the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

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

Waste Storage Rooms

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

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

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

Reason: To ensure provision of adequate waste storage arrangements.

Public Domain Construction Drawings

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

- All the frontages of the development site between the gutter and building line, including footpath, drainage, forecourt, front setback etc
- Any publicly accessible areas;
- Any works in carriageway,
- The rear foreshore area adjoining Clay Cliff Creek, and
- Onsite landscape work.

Grading of the pedestrian footway:

- Detailed design spot levels and designed contour lines are required.

- Localised flattening of public footpath levels at building doorways is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Council. Ramping of the footway to suit adjacent building entry/access requirements will not be accepted.

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

- The latest City of Parramatta Public Domain Guidelines (PDG);
- The approved Public Domain Alignment Drawings, and
- The approved Landscape Drawings submitted as part of the architectural set, and
- All the conditions listed in this consent.

The Public Domain Construction Drawings must be prepared to reflect the following changes:

- Proposed trees in the rear setback form part of the publicly accessible areas being developed along the Clay Cliff Creek, and thus should be 100L trees and not 45L as mentioned in the drawings
- Provision of appropriate motion activated wall mounted lighting in the rear foreshore area
- Consideration of removal/modification of the stairs at the rear to the foreshore area and replacement with a wider ramp to enable greater access.

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

Footway Specifications

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

Footpath

The standard 'City Centre Paving' concrete paver, as per the PDG, **Pebblecrete, product PPX:544:35D, 300x300x60mm, with honed finish** shall be applied to the entire public domain areas in Parkes Street and Wigram Street, to the full length of the development site. This includes the public footway and any setback between the building/podium line and property boundary. For unit paving, the footpath paving set out and details must comply with Council's design standard (DS40, sheet 1-3). The Public Domain Construction Drawings must be prepared to reflect the Council standard details.

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

Kerb Ramps

Kerb ramps must be designed and located in accordance with Council's design standards (DS40 sheet 1-3), using **Pebblecrete, product PPX:544:35D, 300x300x60mm, shot blast finish**.

Ramps are to be aimed to the ramp on the opposite side of the road as per AS 1428.1 and 1428.4.1

Vehicle Crossing

Council's standard vehicle crossing is to be provided. Refer Council's design standard (DS40 sheet 1-3), using **Pebblecrete, product PPX:544:35D, 150x150x60mm, honed finish for vehicle crossing**.

Pit lids and grates

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

A schedule of proposed pit lid and grate finishes is to be submitted with the Public Domain Construction Drawings set. Drainage grates on an accessible path of travel and within common areas, are to have slots or circular openings with a maximum width of 13mm. Slots are to be laid with the long dimension at right angles to the paths of travel.

Details demonstrating compliance are to be submitted to Council DTSU Manager for approval prior to the issuing of a Construction Certificate and again prior to the issuing of an Occupation Certificate.

Tactile Indicators (TGSIs)

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

TGSI's must comply as follows.

- TGSIs are required at the top and base of each flight/ramp, to comply with AS1428.4.1 (2009) including its amendment in 2010.
- TGSIs are not required on a landing where handrails continue through the landing.

Clear Path of Travel (Shore-Lining)

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

Sealant

Sealant is to be applied to all paved surfaces in the public domain in accordance with Council requirements.

Slip Resistance

All stone and pebblecrete paving (concrete pavers) shall have **non-slip surfaces** that comply with a P5 rating as per AS4586:2013.

For the pebblecrete paving (concrete pavers) apply 2 coats of solvent based single pack acrylic coating with Size 36/46 Aluminium Oxide grit, and one top coat with the same product. Top coat may not have the grit included.

Independent slip resistance test results to P5 Classification (Wet Pendulum Test) of completed works should be submitted.

Street Furniture

Street furniture selection and detail shall be to Council's requirements where the furniture is located in publicly owned land. Street furniture in the public domain must comply with Council's Public Domain Guidelines.

Park furniture must also be provided in the publically accessible at the rear of the site along Clay Cliff Creek to the satisfaction of Council Officers.

Cycle racks

Public bike racks shall be supplied and equally distributed (clusters of max 4-off racks) to the furniture zone of Parkes Street and Wigram Street as per the PDG. Location outside of this zone to be agreed by Council's DTSU Manager prior to issue of Construction Certificate.

Cycle racks are to be located so that bicycles do not encroach onto the public footway.

Lighting

Pedestrian and street lighting shall be to Council's requirements and Australian Standards. All the lighting features in the public domain shall be detailed in the Public Domain Construction Documentation. All new LED luminaires shall include 7pin NEMA socket.

Multi-media conduit

A conduit for Council's multi-media facilities shall be installed to the full length of the street frontages on Parkes Street and Wigram Street. The conduit must be positioned and installed in accordance with Council's design standard drawing and specifications.

Applied to Publicly Accessible Private Space

Non-slip surface – for non-council Standard Pavements

The applicant shall provide test results (after applying paving sealant) to prove applicable pavement material and finishes used in the publicly accessible areas and any plaza areas are **non-slip surfaces** that comply with a P4 rating as per AS4586:2013. Independent slip resistance test results to P5 Classification (Wet Pendulum Test) of completed works should be submitted.

Steps

Steps in public open space must comply with the following requirements:

- Equal height risers of 150-165mm, and equal width treads of 275-300mm.
- Level landing areas at the top and base of steps.
- The first riser at least 900mm from the property boundary
- Opaque risers
- Compliant contrast nosing strips for full stair width
- Non-slip surfaces in wet conditions

Handrails

Handrails must comply as follows:

- Handrails installed on each side of the stair.
- Landing area designed to sufficiently accommodate the required TGSI and handrail projection, which must be outside pedestrian path of travel and circulation spaces.
- Design of handrail according to AS1428.1:2009.
- Diameter of handrail 30-50mm.
- Clearance behind the handrail at least 50mm.
- Must have no obstruction for 2700 as shown in fig 29 of AS1428.1

Ramps

Ramps must comply as follows:

- Level landings at top and base
- Non-slip surfaces in wet conditions
- Compliant handrails on each side with at least 1000mm between handrails
- A lower rail with maximum clearance of 65mm below.
- A kerb or kerb rail at a height between 65mm and 75mm or greater than 150mm as per fig 18 of AS1428.1

Preference is to achieve ramps which do not require handrails (ie make them flatter than 1:20).

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

Reason: To comply with the Public Domain Guidelines.

Street Tree Specifications

65. Notwithstanding the approved public domain alignment drawings, additional street trees at 8-10m c/c, species to match existing, pot size 100L, must be provided along Parkes Street in addition to the existing tree.

All trees supplied must be grown in accordance with AS2303:2018 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2018. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

The requirements for height, calliper and branch clearance for street trees should be in accordance with AS2303:2018.

Consistent tree pit size and construction is to be used throughout the public domain areas around the site for the street tree planting. The street tree must be planted in accordance with Council's design standards (available on request) with adequate clearances to other street elements in accordance with the Public Domain Guidelines.

A structural pavement system is required around proposed street trees *in paved areas* in the footway and publicly accessible pedestrian areas to mitigate against soil compaction and to maximise aeration and porosity in the tree root zone. Suitable systems include suspended concrete slabs or structural cells such as strata cells. Tree grates may be required depending on the detailed design of the selected pavement structure system.

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

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

Reason: To ensure high quality street trees are provided.

Accessibility in Common Areas

66. All the common areas proposed within the site, including rooftop terraces, shall be fully accessible.

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

Details demonstrating compliance are to be submitted to the PCA prior to the issuing of a Construction Certificate and again prior to the issuing of an Occupation Certificate.

Reason: To improve accessibility.

Revised Basix and NatHERs

67. Prior to the issue of any Construction Certificate, revised BASIX and NatHERS certificates and stamped drawings showing all relevant requirements shall be submitted to the Council for approval by Council's Group manager, Development and Traffic Services. BASIX and NatHERS certificates and documentation is to be consistent with the requirements of BASIX Thermal Comfort Protocol 01 July 2017 (Revision No 1: dated 01 November 2017).

Note: The submitted NatHERs certificate for Apartments 509 shows that it is over the cooling cap (34.5 on certificate, cooling cap: 29.5). The cooling load entered into BASIX (28.4) does not correspond to that shown on the certificate.

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

Reflectivity Requirements

68. Prior to the issue of any Construction Certificate, the following reflectivity requirements must be indicated on the plans and demonstrated to the satisfaction of the Certifying Authority:

- a) External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The visible light reflectivity 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.
- b) Façade glazing with a southerly orientation is to have a visible light reflectivity no greater than 10%
- c) The mitigation measures detail in the Reflectivity Assessment prepared by SLR Ref: 610.18621-R02 Version No: -v2.1 September 2020 are to be incorporated.

Details must accompany the Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To have a minimal impact on road users and users of the public domain

ESD Initiatives

69. Prior to the issue of any Construction Certificate, the following must be indicated on the plans and provided to the satisfaction of the Principal Certifying Authority:

- a) A dual reticulation (dual pipe) system is to be installed throughout the development to support the immediate or future connection to a recycled water network. If a recycled water network is not currently available, the design of the dual reticulation system is to be such that a future change-over to an alternative water supply can be achieved without significant civil or building work, disruption or cost. To facilitate this, the dual reticulation system is to have:
 - (i) One reticulation system servicing drinking water uses, connected to the drinking supply, and
 - (ii) One reticulation system servicing all non-drinking water uses.
 - (iii) The non-drinking water system is to be supplied with harvested rainwater, with drinking water backup, until such time as an alternative water supply connection is available
- b) Rainwater collection and reuse is to be installed, suitably sized and connected to serve all non-drinking water uses through the dual reticulation system.
- c) Solar photovoltaic generation must be installed covering not less than 50% of the roof space that is not needed for other uses such as plant, green roof planting.

Reason: To improve the environmental sustainability of the building.

Electric Vehicle Charging

70. Prior to the issue of any Construction Certificate, the following must be indicated on the plans and demonstrated to the satisfaction of the Principal Certifying Authority:

- a) All multi-unit residential car parking must provide an EV Ready Connection to each and every space allocated to residents
- b) Provide EV Distribution Board(s) in of sufficient size to allow connection of all EV Ready Connections.
- c) Locate EV Distribution board(s) so that no future EV Ready Connection will require a cable of more than 50m from the parking bay to connect.
- d) Each EV Ready Connection is served from a cable tray and a dedicated spare 32A circuit provided in an EV Distribution Board to enable easy future installation of cabling from an EV charger to the EV Distribution Board and a circuit breaker to feed the circuit.
- e) EV Distribution Boards are to be dedicated to EV charging that is capable of supplying not less than 50% of EV connections at full power at any one time during off-peak periods, to ensure impacts of maximum demand are minimised. To deliver this, the distribution board will be complete with an EV Load Management System and an active suitably sized connection to the main switchboard.
- f) EV Load Management System is to be capable of:
 - reading real time current and energy from the electric vehicle chargers under management
 - determining, based on known installation parameters and real time data, the appropriate behaviour of each EV charger to minimise building peak power demand whilst ensuring electric vehicles connected are full recharged
 - scale to include additional chargers as they are added to the site over time.

Reason: To provide all necessary infrastructure for residents to install Electrical Vehicle charging without significant technical or financial barriers.

Car Park Design

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

The PCA shall ascertain that any new element in the basement and podium carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6.

Details of compliance are to accompany the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

Reason: To ensure appropriate vehicular manoeuvring is provided.

Vehicle Swept Paths

- 71A. Prior to issue of the relevant construction certificate, vehicle swept paths shall be submitted to Council for approval by the Group Manager, Development and Traffic Services. The swept paths shall demonstrate satisfactory movements for vehicles entering and exiting the site taking into

consideration medium rigid vehicle movements from the site and within the loading dock. Council should be satisfied that the basement and vehicular crossing design complies with AS 2890.1-2004, AS2890.6-2009 and AS 2890.2-2018.

Reason: To ensure satisfactory vehicular access.

Bicycle Parking

72. 149 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate to the satisfaction of the Principal Certifying Authority.

Reason: To comply with Council's parking requirements.

Motorcycle Parking

73. Six (6) motorcycle spaces are to be provided on-site and used accordingly. The dimensions of the motorcycle spaces are to comply with Clause 2.4.7 and Figure 2.7 of AS 2890.1-2004. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

Convex Mirrors

74. Convex mirrors, as shown on the floor plans, are to be installed within the car parking areas, with their height and location adjusted to allow drivers a full view of the driveway in order to see if another vehicle is coming through. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To ensure the safety of drivers.

Access Restricted

75. Access to the site is to be restricted to a Left in – Left out arrangement only. A median island or similar is to be installed on Parkes Street to restrict right turn manoeuvring in and out of the development. Detailed engineering design plans of the preferred treatment is to be submitted to Council's Traffic and Transport Manager for consideration by the Parramatta Traffic Committee and approval by Council. The construction of the approved treatment is to be carried out by the applicant and all costs associated with the supply and construction of the median island and appropriate signage are to be paid for by the applicant at no cost to Council and TfNSW.

Reason: To ensure maintenance of traffic flow and safety on the surrounding road network.

Roller Shutter Details

76. If a roller shutter door is to be provided at the driveway entry and exit from Parkes Street, it is to be opened at all times from 7am to 8pm seven days a week. The roller shutter door is to be operated via remote control for regular users. If an intercom is installed, it is to be provided at the centre of the driveway (not attached on the wall) to the carpark in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.

Reason: To comply with Australian Standards and to ensure free influx of traffic which will not adversely affect traffic or pedestrian flows in the frontage road.

Driveway Grades

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

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

Accessible Car Parking

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

surface indicators' 1992 and 2009. Details of compliance are to accompany the relevant Construction Certificate application to the satisfaction of the Principal Certifying Authority.

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

Acoustic Assessment

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

- (a) In any bedroom in the building: 35dB(A) between 10pm - 7am
- (b) Anywhere else in the building (other than a garage, hallway, kitchen or bathroom: 40dB(A) at any time.

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

Planting Upon Structures

80. Plans and documents submitted must include the following with an application for a Construction Certificate:

- (a) Construction details are to be provided by a suitably qualified structural engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens. All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.
- (b) Soil volume, soil depth and soil area must meet the prescribed standards in "Apartment Design Guide – tools for improving the design of residential apartment development" (NSW Department of Planning and Environment, 2015). Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect/Designer.
- (c) A specification ('Fit-for-purpose' performance description) for soil type and a maintenance schedule specified by a suitably qualified Soil Scientist, to ensure sufficient nutrient and water availability is achieved.

Reason: To ensure the creation of functional gardens.

Tree Protection Methodology Statement

81. A Methodology Statement, prepared by a suitably qualified arborist (Australian Qualification Framework Level 5 or above), must accompany the application for a Construction Certificate. This statement is to identify the measures to be implemented for protection of the existing street trees located in front of the subject site (14-20 Parkes Street Harris Park) during construction and the expected future health of the trees. The statement is to be structured so that each of the following stages of construction are individually addressed, namely:

- (a) Excavation;
- (b) Canopy trunk and tree root protection;
- (c) Construction of any retaining wall;
- (d) Installation of services (i.e. bridging of roots);
- (e) Back filling; and
- (f) Any other stages that the project arborist deems necessary.

Reason: To ensure adequate protection of existing trees.

PRIOR TO WORK COMMENCING

Appointment of PCA

82. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:

- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
- (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

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

Reason: To comply with legislative requirements.

Enclosure of the Site

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

Reason: To ensure public safety.

Site Sign

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

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

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

Reason: Statutory requirement.

Toilet Facilities On Site

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

Reason: To ensure adequate toilet facilities are provided.

Public Risk Insurance

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

- (a) Above;
- (b) Below; or
- (c) On

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

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

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

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

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

Survey Report

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

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

Construction and Pedestrian Traffic Management Plan (CPTMP)

88. Prior to the commencement of any works on site, the applicant shall submit a Construction and Pedestrian Traffic Management Plan (CPTMP) to the satisfaction of Council's Traffic and Transport Manager and the Transport for NSW. The CPTMP shall be prepared by a suitably qualified and experienced traffic consultant. The following matters must be specifically addressed in the CPTMP:

- (a) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- (b) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
- (c) The location of proposed Work Zones in the egress frontage roadways,
- (d) Location of any proposed crane standing areas,
- (e) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- (f) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- (g) The provisions of an on-site parking area for employees, trade person and construction vehicles as far as possible,
- (h) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors,
- (i) A detailed description of locations that will be used for layover for trucks waiting to access the construction site,
- (j) Proposed construction hours,
- (k) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements,
- (l) Construction program that references peak construction activities and proposed construction 'Staging',
- (m) Any potential impact to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works,
- (n) Cumulative construction impacts of the Parramatta Light Rail (Stage 1) project in Westmead. Should any impacts be identified, the duration of the impacts,
- (o) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified,
- (p) The plan may be required to include restrictions on the number of trucks that can access the site in peak hours and a requirement for the developer to provide video footage of the frontage of the site on a weekly basis so that Council can enforce this requirement,
- (q) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road if applicable, and,
- (r) A schedule of site inductions on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.

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

Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Work Zone' restriction in the egress frontage roadways of the development site. Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Work Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each.

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

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

Construction Environmental Management System and Plan

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

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

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

Reason: Environment protection.

Road Opening Permits

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

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

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

Dilapidation Survey & Report for Private Properties

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

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

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

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

Reason: Management of records.

Erosion and Sediment Control Measures

92. Erosion and sediment control measures are to be installed in accordance with the publication 'Urban Stormwater: Soils and Construction "The Blue Book" 2004 (4th edition) prior to the commencement of any demolition, excavation or construction works upon the site. These measures are to be maintained throughout the entire works.

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

Site Maintenance

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

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

Shoring and Adequacy of Adjoining Property

94. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:

- (a) Protect and support the adjoining premises from possible damage from the excavation
- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

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

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

Special Permits

95. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

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

Reason: Proper management of public land.

Driveway Crossing Application

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

All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance

with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

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

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

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

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

Pruning/works on tree(s)

97. Consent from Council must be obtained prior to any pruning works being undertaken on any tree on site, or any trees located in adjoining properties.

All approved pruning works must be supervised by an Australian Qualifications Framework (AQF) Level 3 certified Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.

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

DURING WORK

Copy of Development Consent

98. 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.

Due Diligence – Potential Archaeological and Aboriginal Objects

99. In the event where discovery of a potential archaeological object or Aboriginal object takes place during demolition works, any and all works shall stop immediately and the NSW OEH be notified. In such circumstances it may become necessary to apply for an AHIP and its approval granted, prior to works re-commencing on site in accordance with the Due Diligence Code of Practice.

Reason: To ensure the appropriate process is undertaken in the event a potential archaeological object or Aboriginal object is discovered during works.

Protection of Waterways

100. All works must be carried out so that:

- (i) No materials are eroded, or likely to be eroded, are deposited, or likely to be deposited, on the bed or shore or into the waters of Clay Cliff Creek; and
- (ii) No materials are likely to be carried by natural forces to the bed, shore or waters of Clay Cliff Creek.

Any material that does enter Clay Cliff Creek must be removed immediately.

Reason: To ensure protection of waterways.

Materials on Footpath

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

Reason: To ensure pedestrian access.

Materials on Drainage Line

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

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

Hours of Work and Noise

103. All work, including building and excavation work; and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (e.g. loading and unloading of goods, transferring of tools, machinery etc.) in connection with the proposed development, must only be carried out between the hours of 7:00am and 5:00pm on Monday to Friday inclusive, and 8:00am to 5:00pm on Saturday. No work is to be carried out on Sunday or public holidays.

Note: Council may allow extended work hours in limited circumstances and upon written application and approval being given by City of Parramatta Council at least 30 days in advance. Such circumstances where extended hours may be permitted include:

- (a) Delivery of cranes required to the site outside of normal business hours;
- (b) Site is not located in close proximity to residential use or sensitive land uses;
- (c) Internal fit out work.

Reason: To protect the amenity of the area.

Complaints Register

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

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

The complaints register must be made available to Council and/or the Principal Certifying Authority upon request.

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

Erosion & Sediment Control Measures

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

Reason: To ensure no adverse impacts on neighbouring properties.

Stormwater from Impervious Areas

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

Reason: To ensure satisfactory stormwater disposal.

Damage to Public Infrastructure

107. 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.

Car Parking & Driveways

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

Reason: To ensure appropriate car parking.

Nomination of Engineering Works Supervisor

109. During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's "Guidelines for Public Domain Works". Certification is required to be provided with the Occupation Certificate.
Reason: To ensure Council's assets are appropriately constructed.

Geotechnical Consideration

110. The recommendations as outlined in the Geotechnical Report (E24140.G01_Rev1) prepared by EI Australia dated 14.02.2020 shall be implemented to the satisfaction of the Principal Certifying Authority.
Reason: To ensure the geotechnical compliance, ongoing safety and protection of property.

Remediation Contact Details

111. A sign displaying the contact details of the remediation shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.
Reason: To provide contact details for council inspectors and for the public to report any incidents.

Contamination – Additional Information

112. 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.

Remediation Works

113. All remediation works shall be carried out in accordance with clauses 17 and 18 of State Environmental Planning Policy 55 - Remediation of Land.
Reason: To comply with the statutory requirements of State Environmental Planning Policy 55.

Groundwater Analysis

114. Groundwater shall be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant NSW EPA water quality standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

Other options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason: To ensure that contaminated groundwater does not impact upon waterways.

Contaminated Waste to licensed EPA Landfill

115. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.
Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

Waste Data Maintained

116. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. These records must be retained and made available to Council on request.
Reason: To confirm waste minimisation objectives are met.

Dust Control

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

Noise/Vibration

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

Vibration levels resulting from demolition and excavation activities must not exceed 5mm/sec peak particle velocity (PPV) when measured at the footing of any nearby building.

Reason: To protect the amenity of the area.

Importation of Clean Fill

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

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

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

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

Public Domain Works Inspections

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

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

The required inspections include the followings:

- Commencement of public domain works including tree protection measures installed and set out of tree pits;
- Subgrade inspection following excavation for footings, drainage and pavements, tree pits showing root barriers, structural soil cell, sub-surface drainage and irrigation system as required;
- Installation of required underground conduits;
- Blinding 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;
- Commencement of the works including survey marks, sub-grade preparation and set out of kerb alignments;
- Completion of concrete blinding layer before any paver to be laid; and set out/location of furniture installation;
- Completion of (raised) planting beds with required sub-drainage layer installed as specified. Procured soil media specifications and docket receipts to be signed at this inspection;
- Completion of unit (granite) paving and furniture (seatings) installation. Manufacturer's warranty and maintenance information for all proprietary products shall be provided to Council's Inspection Officer; and
- Completion of paving sealant application and tactile indicator installation as per Council's specification.
- Delivery of street trees to site. Trees shall be installed within 24hrs of delivery; The contractor shall provide Council Officer the NATSPEC document to prove the quality of the tree stock.
- 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.

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

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

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

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

Public Area Works Supervision

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

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

Occupation of any part of Footpath/Road

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

Reason: To ensure proper management of Council assets.

Oversize Vehicles Using Local Roads

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

Reason: To ensure maintenance of Council's assets.

Road Occupancy Licence (TfNSW)

124. A Road Occupancy Licence (ROL) shall be obtained from Transport Management Centre for any works that may impact on traffic flows on the state road network during construction activities. A ROL can be obtained through: <https://myrta.com/oplinc2/pages/security/oplincLogin.jsf>

Reason: To comply with TfNSW requirements.

Construction Vehicles

125. All construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.

Reason: To comply with TfNSW requirements.

Tree Container Sizes

126. All trees planted as required by the approved landscape plan are to be a minimum 75 litre container size. All shrubs planted as part of the approved landscape plan are to have a minimum 200mm container size.

Reason: To ensure appropriate landscaping.

Planted Tree Root Volumes

127. All trees planted within the site must be of an adequate root volume and maturity so as to be self-supporting and not to require staking or mechanical support, unless in a wind-prone area. All shrubs must be of an adequate root volume and maturity. Planting must be carried out in accordance with the approved Landscape Plan and conditions of consent.

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

Material Storage and Trees

128. 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.

No Attachments to Trees

129. 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).

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

Occupation Certificate

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

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

Record of Inspections Carried Out

131. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:

- (a) The development application and Construction Certificate number as registered;
- (b) The address of the property at which the inspection was carried out;
- (c) The type of inspection;
- (d) The date on which it was carried out;
- (e) The name and accreditation number of the Principal Certifying Authority by whom the inspection was carried out; and
- (f) Whether or not the inspection was satisfactory in the opinion of the Principal Certifying Authority who carried it out.

Reason: To comply with sator requirements.

CPTED Measures

132. Prior to the issue of any Occupation Certificate for the residential component of the development, the following measures shall be installed to address CPTED considerations:

- (a) surveillance cameras and recorders are to be installed within the foreshore area as indicated on the approved plans and any subsequent public domain construction drawings, and in accordance with AS/NZS 62676:2020. Recordings should be made twenty four (24) hours a day seven (7) days a week. The time and date must automatically be recorded on all recordings made whilst recording. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed. Recordings must be made available to Council staff or police upon request.
- (b) appropriate wall mounted down-lighting is to be installed as approved by Council in the public domain construction drawings
- (c) wayfinding measures within parking levels
- (d) internal and external lighting to Australian Standards
- (e) any other measures recommended within the CPTED report prepared by Aland dated August 2020.

Reason: To minimise the opportunity for crime and vandalism to occur.

Foreshore Management and Maintenance

133. A foreshore management and maintenance plan is to be prepared in accordance with the CPTED report prepared by Aland dated August 2020. This plan is to include, but not be limited to: measures for achieving effective space management including activity coordination, ensuring site cleanliness, use of vandal resistant materials, the rapid repair of vandalism, timely replacement of lighting and refurbishment of physical elements. The plan is to nominate the responsibility of implementation.

Reason: To ensure the appropriate space management of the foreshore area.

BASIX Compliance

134. 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. **994143M_03 dated 18 September 2020**, will be complied with prior to occupation.

Note – this certificate will be revised as per the requirements of Condition 67 within this consent.

Reason: To comply with legislative requirements of Clause 97A of the Environmental Planning

The Release of Bond(s)

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

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

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

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.

Street Tree Bond Release

136. A written application to Council's Open Space & Natural Resource Team for the release of a bond must quote the following:

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

The bond is refundable only where Council is satisfied that street trees have been adequately protected/replaced in accordance with the conditions of consent.

An Occupation Certificate is not to be issued until correspondence has been issued by Council detailing that the bond has been released.

Note: Council's Open Space & Natural Resources Team will take up to 21 days from receipt of the request to provide the written advice.

Reason: To ensure adequate protection of existing environmental assets and to maintain public amenity.

Public Access over Foreshore Area

137. Public access right of ways shall be provided for the full width of the foreshore walkway adjoining Clay Cliff Creek for the public benefit. The terms and conditions of the public access right of way shall be prepared to Council's satisfaction and include appropriate documentation regarding the management and maintenance of all publicly accessible areas.

The right of access and easement must be registered on the land title with NSW Land Registry Services pursuant to Section 88B of the Conveyancing Act 1919.

Council shall be the authority to modify, vary or release the above.

Details of the registration of this covenant/restriction is to be submitted to the Principal Certifying Authority before the issue of any Occupation Certificate for the residential component of the building.

Reason: To enable adequate temporary access to the apartments and confirm the details of the application.

Loading Dock Management Plan – Operational Usage

138. A Loading Dock Management Plan is to be prepared for the usage and maintenance of the loading dock on site. The plan shall incorporate the provision for tenants to use the loading dock for removalist vehicles when moving to/from the development. The plan is to be submitted to the satisfaction of the Principal Certifying Authority before the issue of any Occupation Certificate for the residential component of the building.

Reason: To ensure adequate loading is available for residents.

SEPP 65 Verification Statement OC Stage

139. 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.

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

Reason: To comply with the requirements of SEPP 65.

Adaptable Dwellings

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

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

Liveable Housing

141. Confirmation that 20% of the 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.

Certification – Fire Safety

142. 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.

Street Numbering

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

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

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

Note: Notification of all relevant authorities of the approved street numbers must be carried out by Council.

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

Street Numbering Display

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

Reason: To assist wayfinding.

Broadband Access

145. 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 or alternative service provider where relevant, and implemented at no cost to Council for the provision of broadband access to the development.

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

Call: 1800 881 816

Email: newdevelopments@nbnco.com.au

Web: www.nbnco.com.au/NewDevelopments.

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

Provision of Telephone Services

146. 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.

Provision of Electricity Services

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

Reason: To ensure appropriate electricity services are provided.

Strata Subdivision Certificate

148. A separate application must be made to Council or the Principal Certifying Authority to obtain approval of the strata plan under the provisions of the Strata Schemes Development Act 2015.

Reason: To comply with the Strata Schemes Development Act 2015.

Certification – Artwork

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

Reason: To comply with development control requirements.

Design Jury Review

150. Prior to the issue of the first Occupation Certificate and any subsequent relevant Occupation Certificates, evidence must be provided completed to the satisfaction of Council's Group Manager, Development and Traffic Services that Council's Design Competition Panel (Design Excellence Jury) has confirmed that the architectural drawings, landscape drawings and samples of all external materials, in particular the external glazing and façade detailing, are consistent with the design competition winning scheme and that the development has been completed in accordance with approved plans.

Reason: To ensure the development exhibits design excellence as required by clause 7.10 of Parramatta Local Environmental Plan 2011.

Reinstatement of Laybacks

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

Reason: To provide satisfactory drainage.

Lot Consolidation

152. All individual parcels of land holding a separate title within the development site must be consolidated into one lot. A plan of consolidation must be registered with the Land and Property Information Division of the Department of Lands, prior to an Occupation Certificate being issued.

Reason: To comply with the Conveyancing Act 1919.

Section 73 Certificate

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

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

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

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

Installation of Flood Warning System

154. An early flash-flood warning system, triggered by rainfall forecasting and real time monitoring, must be provided and maintained in perpetuity to advise occupants, and those in the adjacent public domain, of imminent flash flooding. This may be done in collaboration with Council, the SES and The BoM. This flood warning system must be in place and operational to the satisfaction of the PCA prior to release of the Occupation Certificate.

Reason: To comply with Council requirements.

Protection of Basements

155. To prevent flood waters from entering the basement car park, a driveway crest at or above the Flood Planning Level, which is RL 8.9m AHD, including associated bund walls must be provided. Above this, at or near the crest of the driveway, automatic flood barriers must be installed that exclude floodwaters up to the Probable Maximum Flood (PMF) level of RL 9.4m AHD. Other measures such as flood doors must also be provided at all openings to the basement to exclude flood waters up to the PMF level. A suitably qualified Flood Consultant must certify that this requirement has been achieved to the satisfaction of the PCA prior to release of the Occupation Certificate.

Reason: To comply with Council requirements.

Flood Emergency Response Plan

156. A detailed Flood Emergency Response Plan (FERP) generally in accordance with the amended FERP by SGC – (*Flood Emergency Response and Evacuation Plan* Issue E dated 18 September 2020) and consistent with the FERP for the CBD must be prepared and implemented to the satisfaction of the PCA, prior to release of the Occupation Certificate. The detailed FERP must include:

- both warning and evacuation measures for occupants in the building including the most appropriate 'safe areas' and 'safe evacuation routes';
- measures to prevent evacuation from the site by private vehicle;
- the most appropriate emergency response for flood and fire events that occur together;
- a building flood emergency response plan, similar to a building fire evacuation drill, and measures to ensure this is tested at least annually; and
- consultation undertaken with relevant state and local agencies in the preparation of the FERP.

In conjunction with the FERP, a Building Emergency Management Plan for the development must be prepared and implemented in perpetuity and must include all necessary measures to maintain, test and operate the flood protection devices including flood gates, doors and barriers, flood sensors, flood refuges, the flood warning system and the FERP. This FERP must be in place and operational to the reasonable satisfaction of the PCA prior to release of the Occupation Certificate and must be maintained by the landowner/s in perpetuity.

Reason: To comply with Council requirements.

Flood Compatible Materials

157. All construction at or below the PMF level of RL 9.4m AHD must be of flood compatible materials and construction methods. Prior to release of the Construction Certificate, and again prior to release of the Occupation Certificate, the structure shall be certified by a qualified structural engineer, experienced in flooding, that the building will be capable of withstanding the forces of flooding to a level of RL 9.4 m AHD, including hydrodynamic and hydrostatic forces, scour, flotation and debris impacts.

Reason: To comply with Council requirements.

Works-As-Executed stormwater plans

158. Works-As-Executed stormwater plans and accompanying engineers' certifications must be prepared by a Registered Surveyor and suitably qualified Engineers and submitted to the Group Manager DTSU for approval and must address the following:

- a) The Work-As-Executed stormwater plans are prepared on copies of the approved drainage plans issued with the Construction certificate with variations marked in red ink.
- a) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels etc.

- b) The WAE plans show the as-built flood protection measures, stormwater system, rainwater harvesting and WSUD measures.
- c) The WAE Plans must be accompanied by a Certificate of Hydraulic Compliance from a qualified drainage/hydraulic engineer, certifying that the as-built stormwater collection, harvesting and filtration system and flood protection measures function to the standards outlined in the conditions of consent and Council's DCP 2011.
- d) The WAE Plans must be accompanied by a Certificate of structural adequacy from a qualified structural engineer for all building elements stating that they will be able to resist the forces of moving floodwaters, water-borne debris impact and flotation, up to the Probable Maximum Flood (PMF) level of RL 9.4m AHD.
- e) The WAE Plans must show approved versus installed stormwater harvesting and quality improvement measures supported by calculations/modelling to demonstrate as-built functionality.

On approval by Council's Group Manager DTSU, the above is to be submitted to the Principle Certifying Authority for approval prior to the issue of an Occupation Certificate.

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

Positive Covenant/Restriction on Use for Flood Measures

159. Prior to issue of an Occupation Certificate, the Applicant must create a Positive Covenant and Restriction on the Use of Land, prepared in accordance with Section 88E or 88B of the Conveyancing Act 1919 as appropriate, burdening the landowner/s with the requirement for the maintenance of all flood proofing and flood risk management measures. This includes, but is not limited to, the following:
- a) implementation, maintenance, operation and auditing of infrastructure items which are necessary for the safety of occupants during flood emergencies. This includes the back-up power facility, sewage tank, potable water tank, evacuation refuge area, supplies for the refuge area such as food, medical supplies etc.;
 - b) Implementation, maintenance, operation and auditing of the flood warning system and flood emergency response plan;
 - c) Regular maintenance and operational checks of the flood gates and flood doors;
 - d) Implementation, maintenance, operation and auditing of water level triggers for the lift operation system;
 - e) implementation, maintenance, operation and auditing of the flood warning system and the Flood Emergency Response Plan.

The terms of the instruments are to be to Council's satisfaction. The City of Parramatta Council shall be the Authority entitled to release, vary or modify such Instruments.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the City of Parramatta Council and Registered with the LPI prior to the issue of an Occupation Certificate.

Reason: To ensure maintenance of flood management facilities.

Positive Covenant for Water Treatment Devices

160. Prior to issue of an Occupation Certificate, the applicant must create a Positive Covenant and Restriction on the Use of Land, prepared in accordance with Section 88E or 88B of the Conveyancing Act 1919 as appropriate, burdening the landowner/s with the requirement to maintain the on-site stormwater management system and stormwater quality treatment facilities (WSUD).

The terms of the instruments are to be to Council's satisfaction. The City of Parramatta Council shall be the Authority entitled to release, vary or modify such Instruments.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the City of Parramatta Council and Registered with the LPI prior to the issue of an Occupation Certificate.

Reason: To ensure maintenance of stormwater management facilities.

Maintenance of Overland Flow Path

161. Prior to the issue of the Occupation Certificate, the applicant must create to Council's satisfaction, easements, restrictions and positive covenants for the purpose of securing and maintaining the overland flow path over the floodway adjacent to the Clay Cliff Creek channel over the area setback 6 metres from the top of the southern edge of Clay Cliff Creek concrete channel and a greater amount for the north west corner of the building adjoining Wigram Street (channel wall) in accordance with diagram shown in the DCP for this site and generally in accordance with the amended architectural drawings by Aland labelled 'Amended Updated Floor Plans' Rev B dated 18 09 2020.

The restrictions, covenants and easement/s are to be placed over the floodway and shall enable free access by the public within this zone at all times and shall prevent the placement of any structures, walls, fences, fill or other items (except trees and plants) which may impede the flow paths as well as maintaining the flow paths and fixtures such as paving, furniture, lighting and plantings in operational condition at all times.

The easements, restrictions and positive covenants must allow Council the right to drain such floodwaters across the site and must indemnify Council against any damages or harm thereby caused.

The proposed Instruments and Title documents must be submitted to Council's Group Manager Development & Traffic Services for approval prior to release of the Occupation Certificate.

The terms of the easement/s and instruments are to be to Council's satisfaction. The City of Parramatta Council shall be the Authority entitled to release, vary or modify such easement/s and instruments.

Registered title documents showing the covenants and restrictions must be submitted to and approved by the City of Parramatta Council and Registered with the LPI prior to the issue of an Occupation Certificate.

Reason: To ensure maintenance of the overland flow path.

Post-Construction Dilapidation Report

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

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

All Works/Methods/Procedures/Control Measures

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

Reason: To demonstrate compliance with submitted reports.

Waste Room Positive Covenant/Restriction

164. A right of access and easement for Council to facilitate waste and recycling removal, using terms

available from Council, must be registered on the land title with NSW Land Registry Services pursuant to Section 88B of the Conveyancing Act 1919.

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

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

Note: The standard terms of easement can be found at Appendix A8.1 (Appendix B) of the Parramatta Development Control Plan 2011.

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

Final Waste Inspection

165. Prior to the issue of any Occupation Certificate, communal waste facilities and associated vehicle access on the site shall be inspected and approved by Council's Waste Service Team. Written confirmation of the waste facility approval from Council shall be submitted to the Principal Certifying Authority before the issue of any Occupation Certificate.

Reason: To ensure that appropriate waste collection facilities are provided.

Lock Box for Waste Collection

166. A lock box is to be obtained from Council's Waste Services section prior to the issue of any Occupation Certificate. The lock box will provide Council universal access to all Council service areas of the residential units.

Reason: To ensure appropriate access to waste collection facilities are provided.

Public Domain Works-as-Executed

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

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

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

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

A two year (104 week) maintenance and defects period is required for any public domain works that include WSUD devices, including bio-retention tree pit, rain garden, swale etc., to be carried out by the consent holder following final OC approval of the public domain works by Council Officers.

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

Provision of Car Share Space

168. One (1) car parking space is to be allocated for car share parking space. The car share parking space shall be publicly accessible at all times, adequately lit and sign posted. Written evidence shall be provided with the development application demonstrating that offers of a car space to car share providers have been made together with the outcome of the offers or a letter of commitment to the service. The PCA shall ascertain that agreement with a commercial operator is subscribed

prior to issue of the construction certificate. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's Development Control Plan.

Green Travel Plan

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

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

It is recommended that the plan consider an Opal Card with credit and information pack on public transport to be provided to the new residents to encourage use of public transport.

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

Reason: To comply with Parramatta DCP 2011.

Council Reserve Tree Protection Certification

170. Prior to the issue of an Occupation Certificate, the project arborist is to submit a written report to the City of Parramatta Council documenting and certifying that all excavation works within the Tree Protection Zone (AS 4970:2009) of protected street trees were undertaken under the supervision of a qualified Arborist and in accordance with approved plans and consent conditions (including the arborist methodology statement).

Reason: To ensure protection of trees during excavation works.

Certification of Landscaping Works

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

Reason: To ensure restoration of environmental amenity.

OPERATIONAL CONDITIONS - THE USE OF THE SITE

Foreshore Management and Maintenance

172. The foreshore management and maintenance plan approved in Condition 133 of this consent is to be implemented in its entirety, unless otherwise agreed to by Council.

Reason: To ensure the appropriate space management of the foreshore area.

Servicing Hours

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

Reason: To protect the amenity of the area.

Graffiti Management

174. 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.

Signage Consent

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

Reason: To comply with legislative controls.

Ground Level Appearance

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

Reason: To provide an appropriate streetscape appearance.

Goods Not to be Displayed Outside Premises

177. No goods are to be stored/displayed outside the walls of the building.
Reason: To ensure visual amenity.

Offensive Noise and Vibration

178. The use of the premises not giving rise to:
- (a) transmission of unacceptable vibration to any place of different occupancy,
 - (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.
- Reason:** To prevent loss of amenity to the area.

Noise from Mechanical Equipment

179. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
Reason: To protect the amenity of the area.

Air Conditioning Units

180. Any air conditioner/s must not:
- (1) 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):
 - (a) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
 - (b) before 7.00am and after 10.00pm on any other day.
 - (2) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those as specified in (1), which exceeds the background (LA90, 15 minute) by more than 5dB(A).
- The source noise level must be measured as a LAeq 15 minute.
Reason: To prevent loss of amenity to the area.

Putrescible Waste

181. 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.

Maintenance of Waste Storage Areas

182. All waste storage areas are to be maintained in a clean and tidy condition at all times.
Reason: To ensure the ongoing management of waste storage areas.

Waste Storage

183. Between collection periods, all waste/recyclable materials generated on site must be kept in enclosed bins with securely fitting lids so the contents are not able to leak or overflow. Bins must be stored in the designated waste/recycling storage room(s) or area(s) between collection periods.
Reason: To ensure waste is adequately stored within the premises.

Liquid and Solid Wastes

184. Liquid and solid wastes generated on site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).
Reason: To prevent pollution of the environment.
185. Deleted.

Green Travel Plan – Display

186. The Green Travel Plan, required by these conditions, shall be displayed at all times through the communal residential and commercial areas of the building.

Reason: To discourage trips by private vehicle.

Monitoring of Green Travel Plan

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

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

Car Share

188. If a car share provider accepts the applicant's offer of 1 or more car share spaces, the 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.

Any car share space(s) are to be provided within the basement. The car share space(s) shall be accessible to the public at all times. A right of way shall be registered on the title to this effect.

Reason: To comply with Council's parking requirements.

Loading Dock Management

189. The loading dock shall be managed at all times in keeping with the requirements of the Loading Dock Management Plan required by this consent.

Reason: To ensure the efficient servicing of the site.

Maintenance of Site Works

190. 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.

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act 1979* Environmental Planning and Assessment Regulation 2000, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

(A) PLANNING AGREEMENT:

The development is subject to a planning agreement entered into under section 7.4 of the Environmental Planning and Assessment Act, 1979. The timing and provision of all deliverables under this planning agreement must be met in accordance with the requirements of that planning agreement. The Principal Certifying Authority shall be made aware of the requirements within the planning agreement before issuing any construction or occupation certificates for the stages of development.

(B) SYDNEY WATER ADVICE:

Water Servicing

- Potable water servicing should be available via a 150mm DICL watermain (laid in 1980) on Parkes Street.
- Amplifications or extensions to the potable water network may be required complying with the Water Services Association of Australia (WSAA) code - Sydney Water edition.

Wastewater Servicing

- Wastewater servicing should be available via a 300mm VC wastewater main (laid in 1908) within the property boundary.
- Amplifications or extensions to the wastewater network may be required complying with the Water Services Association of Australia (WSAA) code - Sydney Water edition.

Stormwater

Building Over or Adjacent to Stormwater Assets:

- Sydney Water's available records indicate that 3810mm x 1676mm major trunk stormwater drainage which is owned by Sydney Water is located along the northern boundary of the development site. This stormwater drainage is known as Clay Cliff Creek.
- As per the current policy and guidelines for building over and adjacent to stormwater assets, no new building or permanent structure is to be proposed over the stormwater channel pipe or within 1m from the outside wall of the stormwater asset or within Sydney Water easement whichever is larger. Permanent structures include (but are not limited to) basement car park, hanging balcony, roof eaves, hanging stairs, stormwater pits, stormwater pipes, elevated driveway, basement access or similar structures. This clearance requirement would apply for unlimited depth and height.
- Any proposal within this development site is required to comply with the above clearance requirements.

Planting Trees

- Planting trees adjacent to Sydney Water's stormwater channel should comply with "Diagram 5 - Planting Trees" as per the "Technical guidelines - Building over and adjacent to pipe assets" dated October 2015, which is available on Sydney Water website.

Stormwater Discharge

- No objection to the proposed stormwater discharge into Sydney Water's stormwater system. The stormwater connection is to be carried out as part of the Section 73 application for this development, according to Sydney Water requirements.

(C) CRANE USAGE:

- The construction of this development may require the use of cranes.
- Condition No. **95** references that approval may be required under Section 138 of the Roads Act 1993. This is regarding approval to store or place 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.

- In addition, the following approvals may also be required:
 - Approval under Section 68 – Part E(1) of Local Government Act 1993. This is regarding approval to swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.
 - Owners consent from any land owners regarding approval to swing or hoist goods across or over any part of privately owned land. Any application for approval under Section 68 – Part E(1) that also requires the crane to swing or hoist goods across or over any part of privately owned land MUST be accompanied by consent from the owners of the impacted privately owned land.