

“Appendix 1” to Section 4.15 Assessment Report - DA/422/2021

DRAFT CONDITIONS OF CONSENT

Upon the signature of the applicable delegate, the conditions in this Appendix will form the conditions of development consent.

Development Consent No.: DA/422/2021
Property Address: Lot 1 Sec 30 DP 758829
2 O'Reilly Street, PARRAMATTA NSW
2150

PART A – GENERAL CONDITIONS

PA0001 #Approved Plans & Support Doc(DIEP Mandatory Cond)

1. Development must be carried out in accordance with the following approved plans and supporting documentation (stamped by Council), except where the conditions of this consent expressly require otherwise:

Architectural Drawings (Project No. 18024-S-03)

Drawing No.	Issue	Plan Title	Dated
A1-08	A	Site Plan/Demolition Plan	2/3/2022
A1-09	A	Ground Floor Plan	2/3/2022
A1-10	A	Level 1 Floor Plan	2/3/2022
A1-11	-	Level 2 Floor Plan	Aug 2020
A1-12	-	Level 3 Floor Plan	Aug 2020
A1-13	-	Level 4 Floor Plan	Aug 2020
A1-14	-	Roof Plan	Aug 2020
A1-15	-	Elevations	Aug 2020
A1-16	-	Section	Aug 2020
A1-23	-	Fence Details	Aug 2020

Civil Drawings/Stormwater (Project No. 18MB7871)

Drawing No.	Issue	Plan Title	Dated
D01	E	General Notes	13/01/2021
D02	E	Roof and Level 4 Drainage Plan	13/01/2021
D03	E	Level 3 and Level 2 Drainage	13/01/2021

Drawing No.	Issue	Plan Title	Dated
		Plan	
D04	E	Level 1 Drainage Plan	13/01/2021
D05	E	Ground Floor Drainage Plan	13/01/2021
D06	E	Drainage Details	13/01/2021
D07	E	Soil and Water Management Plan	13/01/2021

Landscape Drawings (Project No. 4444c)

Drawing No.	Issue	Plan Title	Dated
L01/2	B	Landscape Plan Sheet 1	21/01/2021
L02/2	B	Landscape Plan Sheet 2	21/01/2021

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Statement of Environmental Effects	-	-	Andrew Martin Planning	Feb 2021
Waste Management Plan	-	-	Chris Khoury	11/12/2020
Finishes Schedule	A1-24	-	CK Designs	Aug 2020
BASIX Certificate No.1140148M_02	-	-	Ecoplus Consultants	30 March 2021
Plan of Management			Hume Community Housing	Sept 2020
BCA & Access Report	PRO-06343-M1W8	1.0	Building Innovations	10/04/2021
Acoustic Report	18122001J1		Telemetrix Acoustic and Vibration Solutions	24/10/2020

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

Note: An inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a

condition when it is not possible to comply with both at the relevant time.

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

PA0003 Construction Certificate

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

Reason: To ensure compliance with legislative requirements.

PA0004 No encroachment on Council and/or Adjoining proper

3. 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.

PA0013 #LSL Payment Const> \$25,000 (DIEP Mandatory Cond)

4. Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

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

Reason: To ensure that the long service levy is paid.

PA0014 #Payment of Security deposits(DIEP Mandatory Cond)

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

Bond Type	Amount
Nature Strip and Roadway:	\$25,750

The payments will be used for the cost of:

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

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

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

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/422/2021;
- (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.

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

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

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

ECA0001 Hazardous/intractable waste disposed legislation

6. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Safework NSW and the EPA, and with the provisions of:
- Work Health and Safety Act 2011;
 - NSW Protection Of the Environment Operations Act 1997 (NSW); and
 - NSW Environment Protection Authority (EPA) Waste Classification Guidelines.

Reason: To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner.

ECA0006 Require to notify about new contamination evidence

7. 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.

EWA0002 Amenity of waste storage areas (general)

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

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

PART B – BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

PB0008 No external service ducts for multi-unit develop

9. 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 Construction Certificate to the satisfaction of the Certifying Authority.

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

PB0020 #Parra Develop Contrib. Plan – Outside City Centre

10. A monetary contribution comprising \$46,889.63 is payable to City of Parramatta Council in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the *Parramatta Section 94A Development Contributions Plan (Amendment No. 5)*. Payment must be by EFTPOS, bank cheque or credit card only.

The contribution is to be paid to Council prior to the issue of a construction certificate.

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney 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. 5) can be viewed on Council's website at:

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

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

PB0030 Infrastructure & Restoration Adm. fee for all DAs

11. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Construction Certificate. The fee will be in accordance with Councils adopted 'Fees and Charges' at the time of payment.

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

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

PB0032 Constr. Noise Managt. Plan for townhouses & above

12. 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 a Construction Certificate. The 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.

PB0033 Energy Provider requirements for Substations

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

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

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

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

PB0053 Construct. Site Manage. Plan (DIEP Mandatory Cond)

14. Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
- location and materials for protective fencing and hoardings to the perimeter on the site
 - provisions for public safety
 - pedestrian and vehicular site access points and construction activity zones
 - details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
 - protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
 - details of any bulk earthworks to be carried out
 - location of site storage areas and sheds
 - equipment used to carry out all works
 - a garbage container with a tight-fitting lid
 - dust, noise and vibration control measures
 - location of temporary toilets.

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

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

PB0055 Waste Management Plan (DIEP Mandatory Cond)

15. Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:

(a) Council's Waste Management Development Control Plan

OR

(b) Details the following:

- the contact details of the person(s) removing the waste
- an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill
- the address of the disposal location(s) where the waste is to be taken

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

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

DB0001 Stormwater Disposal

16. 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.

DB0002 Retaining walls

17. 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 certifying authority prior commencement of the works.

Structural details, certified by a practicing structural engineer, shall accompany the application for a Construction Certificate for assessment and approval by the certifying authority.

Reason: To minimise impact on adjoining properties.

DB0003 Sydney Water Quick check

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

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

Please refer to the website

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

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

DB0004 Dial Before you Dig Service

19. 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.

DB0007 Basement carpark and subsurface drainage

20. 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.

DB0012 #On Site Detention

21. Full engineering construction details of the stormwater system, including OSD structures, pipe networks and calculations as per following points, shall be submitted for the approval of the PCA prior to release of the Construction Certificate for any work on the site.

- (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the following Stormwater Plans approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code.
 - i. Concept stormwater drainage plans, Drawing Nos. 18MB7871/D01, D02, D03, D04, D05 & D06, Issue E, dated 13 January 2021, prepared by United Consulting Engineers.*
- (b) A Site Storage Requirement of 215m³/ha and a Permissible Site Discharge of 235L/s/ha (when using 3rd edition of UPRCT's handbook).
- (c) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.
- (d) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.
- (e) The configuration of the filter cartridges within the OSD tank shall be amended such that the underdrain discharges downstream of the OSD control so that the filter cartridges maintain sufficient differential head for operation through the range of design storm events. The designer shall refer to Council's Technical Design Guide –

Stormwater Cartridge Filters for more details. The orifice sizing shall also be amended to account for flows bypassing the OSD control.

- (f) The site drainage system and proposed finished ground and floor levels are to be revised to appropriately manage surface flows and any overflows of the piped system in accordance with AR&R minor/major system design principles. In this regard, the external levels are to be designed to fall to the point of discharge at the south east corner of the site and the proposed finished floor levels of the ground floor are to be raised to allow for a sufficient freeboard above external levels and the overflow level of the OSD system. This should also remove trapped low points from the design which have the potential to inundate the building.

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

DB0013 #Water treatment for stormwater

- 22. Water quality treatment devices must be installed to manage surface runoff water to O'Reilly Street 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 Certifying Authority and be consistent with the concept stormwater drainage plans, Drawing Nos. 18MB7871/D01, D02, D03, D04, D05 & D06, Issue E, dated 13 January 2021, prepared by United Consulting Engineers and include the following amendment/s:

The configuration of the filter cartridges within the OSD tank shall be amended such that the underdrain discharges downstream of the OSD control so that the filter cartridges maintain sufficient differential head for operation through the range of design storm events. The designer shall refer to Council's Technical Design Guide – Stormwater Cartridge Filters for more details.

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

DB0015 Shoring for adjoining Council property

- 23. 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.

DB0017A Construction of a heavy duty vehicular crossing

24. 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 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.

DB0021 Impact on Existing Utility Installations

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

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

DB0022 Support for Council Rds, footpath, drainage reserv.

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

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

Reason: To protect Council's infrastructure.

DB0026 Driveway Grades

27. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 to prevent the underside of the vehicles scraping. Where the geometric change in grade exceeds 18%, the gradients of the driveway and ramps shall be checked using the method at Appendix C in AS2890.1:2004 and adjustments will be made to

accommodate suitable transition lengths. Details are to be provided with the application for a Construction Certificate.

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

EWB0002 Management of Construction and/or Demolition Waste

28. Waste materials must be appropriately stored and secured within a designated waste area onsite at all times, prior to reuse or being sent offsite. This includes waste materials such as paper and containers which must not litter the site or leave the site onto neighbouring public or private property. Receipts of all waste/recycling tipping must be retained and produced in a legible form to any authorised officer of the Council who asks to see them.

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

TB0001 #Car Parking Condition

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

Reason: To ensure appropriate vehicular manoeuvring is provided.

TB0002 #Bicycle parking condition

30. Eight (8) bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-2015. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements and the SEPP (ARH) 2009.

TB0003 #Parking Provision

31. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS 2890.2 and AS 2890.6. A total of seven (7) parking spaces is to be provided and be allocated as follows:

- a) Seven (7) parking spaces for boarding rooms including one (1) accessible parking space. **No car stacker is permitted to be constructed within the basement car park.**

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

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

TB0004 Pedestrian Safety

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

TB0006 #Motorcycle Parking Condition

33. Eight (8) 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 and the SEPP (ARH) 2009.

TB0012 #Convex Mirror

34. Convex mirrors, as shown on the submitted plans, are to be installed within the car parking level with their height and location adjusted to allow drivers a full view of the driveway in order to provide further assistance with visions of oncoming and turning vehicles. Details are to be illustrated on plans submitted with the construction certificate.
Reason: To ensure safety of drivers.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

BC0001 Toilet facilities on site

35. Prior to work commencing, adequate toilet facilities are to be provided on the work site.
Reason: To ensure adequate toilet facilities are provided.

PC0001 #Appointment of PCA

36. 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.

PC0002 Enclosure of the site

37. 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.

PC0003 Site Sign

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

- (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;
- (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
- (f) This condition does not apply where works are being carried out inside an existing building.

Reason: Statutory requirement.

PC0005 Public liability insurance

39. 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.

PC0007 Footings and walls near boundaries

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

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

PC0010 Compliance with Home Building Act (If Applicable)

41. In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any building work authorised to be carried out by the consent commences.

Reason: Prescribed condition EP&A Regulation, clause 98(1)(b).

DC0002 Road Opening Permits - DA's involving drainage wrk

42. 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.

DC0003 Dilapidation survey & report for private properties

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

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

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

DC0004 Geotechnical report

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

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

results, artificial drains such as perimeter drains and through drainage may be utilised.

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

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

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

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

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

DC0006 Erosion and Sediment Control measures

45. 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.

DC0007 Site Maintenance

46. 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.

DC0008 Shoring and adequacy of adjoining property

47. 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.

DC0009 Special Permits

48. 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.

DC0010 Driveway Crossing Application

49. 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.

ECC0003 Hazardous material survey

50. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:

- (a) The location of hazardous materials throughout the site;
- (b) A description of the hazardous material;
- (c) The form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- (d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- (e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- (f) Identification of the disposal sites to which the hazardous materials will be taken.

Reason: To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

EWC0001 Asbestos – hazardous management strategy

51. The preparation of an appropriate hazard management strategy by an appropriately licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure that any such proposed demolition works involving asbestos are carried out in accordance with the requirements of the 'Code of Practice: How to Safely Remove Asbestos' published by WorkCover NSW. The strategy shall be submitted to the Principal Certifying Authority, prior to the commencement of any works. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.

Reason: To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

EWC0002 Asbestos – signage

52. On demolition sites where buildings are known to contain friable or non-friable asbestos material, standard warning signs containing the words ‘DANGER ASBESTOS REMOVAL IN PROGRESS’ measuring not less than 400mm x 300mm are to be erected in a prominent position on site visible from the street kerb. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site. Advice on the availability of these signs can be obtained by contacting the Safework NSW hotline or their website www.safework.nsw.gov.au.

Reason: To comply with the requirements of Safework NSW.

EWC0003 Waste management plan – demolition

53. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:

- (a) expected volumes and types of waste to be generated during the demolition and construction stages of the development;
- (b) destination of each type of waste, including the name, address and contact number for each receiving facility.

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

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

LC0002 #Tree protection as per arborist report

54. The trees identified for protection within the consent shall be protected prior to and during the demolition/construction process in accordance with the Arboricultural Impact Assessment and Tree Protection Plan prepared by XXXXXX dated XXXXX and the conditions of consent.

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

LC0007 Tree Protection During Construction

55. Tree protection measures are to be installed and maintained, under the supervision of an Australian Qualification Framework (AQF) Level 5 Arborist in accordance with AS4970 - Protection of Trees on Development Sites.

Reason: To ensure trees are protected during construction.

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

PD0001 Copy of development consent

56. A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site

during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.

Reason: To ensure compliance with this consent.

PD0003 Dust Control

57. 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 Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

PD0004 Materials on footpath

58. 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.

PD0006 Hours of work and noise (DPIE Mandatory Condition)

59. The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:

- **7am to 5pm on Monday to Friday**
- **8am to 5pm on Saturday**

The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Council's approval.

Council may permit an extension to the approved hours of work in extenuating or unforeseen circumstances subject to an application and approval by City of Parramatta Council (CoPC) in accordance with the 'After Hours Works for Approved Development Applications Policy' (Policy).

A copy of this Policy and associated application form is available on the CoPC website. A fee will apply to any application made in accordance with this Policy.

The matters of consideration of any extension sought would include, but not be limited to the following aspects and should be detailed in any application made:

- Nature of work to be conducted;
- Reason for after-hours completion;
- Residual effect of work (noise, traffic, parking);
- Demographic of area (residential, industrial);
- Compliance history of subject premises;
- Current hours of operation;
- Mitigating or extenuating circumstance; and
- Impact of works not being completed.

Reason: To protect the amenity of the surrounding area.

PD0007 Complaints register

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

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

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

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

PD0008 Construction Noise (DPIE Mandatory Cond)

61. While building work is being carried out, and where a noise and vibration management plan is approved under this consent, the applicant must ensure that any noise generated from the site is controlled in accordance with the requirements of that plan.

OR

While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise,

when measured at any lot boundary of the property where the construction is being carried out.

Reason: To protect the amenity of the neighbourhood.

PD0009 Cut and fill (if applicable)

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

- (a) All excavated material removed from the site must be classified in accordance with the EPA's Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification, and the volume of material removed must be reported to the principal certifier.
- (b) All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

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

PD0010 Survey Report

63. While building work is being carried out, a registered surveyor is to measure and mark the positions of the following and provide them to the principal certifier: -

- (a) All footings/ foundations
- (b) At other stages of construction – any marks that are required by the principal certifier

Reason: To ensure buildings are sited and positioned in the approved location.

PD0018 Registration of Boarding Houses

64. Prior to the issue of an Occupation Certificate the boarding house is to be registered on the NSW Fair Trading state register. To register the boarding house you are to log onto www.fairtrading.nsw.gov.au and follow the prompts. A copy of the registration certificate is to be submitted to the PCA to confirm the registration.

Reason: To comply with NSW legislative requirements relating to Boarding houses.

PD0020 Building Work Compliance BCA (DIEP Mandatory Cond)

65. 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.

PD0021 Implement. of BASIX Commit. (DPIE Mandatory Cond)

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

Reason: To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 97A(2) EP&A Regulation).

PD0022 Uncover Relics/Aboriginal Obj(DPIE Mandatory Cond)

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

In this condition:

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

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

PD0026 Shoring & adequacy of adjoining property

68. If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work on adjoining land (including any structure or work within a road or rail corridor), the person having the benefit of the development consent must, at the person’s own expense: -

- (a) Protect and support the building, structure or work from possible damage from the excavation, and
- (b) Where necessary, underpin the building, structure or work to prevent any such damage.

This condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

Reason: Prescribed condition - EP&A Regulation clause 98E.

DD0002 #Stormwater must be connected to the kerb & gutter

69. Stormwater must be connected to the kerb and gutter within the property frontage of O'Reilly Street.

Reason: To ensure satisfactory storm water disposal.

DD0005 Erosion & sediment control measures

70. 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.

DD0006 Damage to public infrastructure

71. 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.

EWD0001 Asbestos-records disposal& licensed waste facility

72. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

Reason: To ensure appropriate disposal of asbestos materials.

EWD0002 Asbestos handled& disposed of by licensed facility

73. All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the Waste Classification Guidelines – Part 1 Classifying Waste (EPA 2014) and any other regulatory instrument as amended.

Reason: To ensure appropriate disposal of asbestos materials.

EWD0003 Waste data file maintained

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

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

EWD0004 Hazardous/intractable waste disposed of in accor.

75. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Safework NSW and the EPA, and with the provisions of:
- (a) Work Health and Safety Act 2011;
 - (b) NSW Protection of the Environment Operations Act 1997 (NSW); and
 - (c) NSW Department of Environment and Climate Change Environmental Guidelines; NSW EPA Waste Classification Guidelines.

Reason: To ensure that the land is suitable for the proposed development and any contaminating material required to be removed from the property is removed in accordance with the prescribed manner.

EWD0005 General requirements for liquid and solid waste

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

Reason: To prevent pollution of the environment.

EWD0008 Contaminated waste to licensed EPA landfill

77. 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.

LD0001 No removal of trees on public property

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

Reason: Protection of existing environmental infrastructure and community assets.

LD0002 #Weed removal

79. The *Biosecurity Act* 2015 requires the following weeds to be removed in accordance with the General Biosecurity Duty prescribed by the Act:

- *Ligustrum sinense* (Small Leaf Privet)

Reason: To ensure the compliance with the *Biosecurity Act* 2015.

LD0004 Material storage and trees

80. 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.

LD0012 Trees with adequate root volume

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

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

LD0013 Removal of trees by an arborist

82. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist and undertaken in accordance with the Code of Practice for Amenity Tree Industry 1998.

Reason: To ensure tree works are carried out safely.

TD0001 Road Occupancy Permit

83. 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.

TD0002 Oversize vehicles using local roads

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

Reason: To ensure maintenance of Council's assets.

TD0003 Remove the Property from the Resident Park. Scheme

85. The applicant is to be required to notify Council when the existing dwelling has been demolished prior to carrying out the construction/restoration works to allow Council to remove the property from the Resident Parking Scheme that applies in this area.

Reason: To ensure proper management of on street parking.

PART E – BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

BE0001 Record of inspections carried out

86. 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 certifying authority by whom the inspection was carried out; and
- (f) Whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

Reason: To comply with statutory requirements.

PE0001 Occupation Certificate

87. 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 comply with legislative requirements of the Environmental Planning and Assessment Act 1979.

PE0006 Street Number when site readily visible location

88. A street number is to be placed on the site 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 ensure a visible house number is provided.

PE0007 #BASIX Compliance

89. 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. 1140148M_02, will be complied with prior to occupation

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

PE0008 Completion of Public Utility Services

90. Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority.

Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

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

PE0027 Post Constr. Private Property Dilapidation Report

91. Before the issue of an occupation certificate, a suitably qualified engineer must prepare a post-construction dilapidation report, to the satisfaction of the principal certifier, detailing whether:

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

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

Reason: To identify damage to adjoining properties resulting from building work on the development site

DE0003 Work-as-Executed Plan (DPIE Condition)

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

- (a) A WAE survey shall be conducted and plans prepared showing the 'as built' of the complete on-site detention system including (but not limited to) discharge point into Council system, storage tank (including all critical elements), all pipes and pits connected to the OSD system, overland flow swale and surface levels that control surface flows to the OSD system and by design bypassing the OSD system.
- (b) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- (c) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- (d) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table
- (e) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- (f) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The certificate must

only be provided after conducting a satisfactory final inspection. The final inspection shall include the application of all the ancillary components of the system including but not limited to: step-irons, orifice plate, trash screen with appropriate wall attachment, hinged lockable grates, confined space sign, functioning return lap valve and relief drains within DCP sump etc.

- (g) Certificate of Structural compliance of the OSD tank shall reference the structural elements including floor slab/foundations, walls and cover slab from a qualified structural engineer
- (h) Certificate of installation from the filter cartridge supplier certifying the cartridges have been installed in accordance with their requirements.

The above is to be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate and a copy is to accompany the 88E Endorsement Application and Occupation Certificate when lodged with Council.

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

DE0005 #OSD Positive Covenant/Restriction

93. Prior to the issue of an Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the on-site stormwater detention (OSD) and water sensitive urban design (WSUD) facilities on the lot.

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available in Council's website, under Development Forms.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through via an application to the NSW Land Registry Services using forms 13PC and 13RPA. Accompanying this form is the requirement for a plan to scale showing the relative location of the On-Site Detention facility, including its relationship to the building footprint.

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

Electronic colour photographs in jpg format of the on-site detention facility shall accompany the application for the Positive Covenant and the Restriction on the Use of the Land. These photos shall include such elements as the orifice plate, trash screen, step irons, weir, sump and bench on the floor of the DCP, return pipe and flap valve, wide angle view

of the storage area or multiple photos, grates closed from above, grates open showing the edges to the opening and under frame packing with mortar or concrete, all pipe entries to the DCP and confined space warning signs at each entry point. The photos must be well labelled and must differentiate between multiple tanks. Additional photos may be requested if required.

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

DE0006 Section 73 Certificate

94. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Occupation Certificate. The application must be made through an authorised Water Servicing Coordinator. Please refer to “Your Business” section of Sydney Water’s web site at www.sydneywater.com.au then the “e-developer” icon or telephone 13 20 92.

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

DE0015 Driveway Crossover

95. Prior to the issue of any Occupation Certificate, an application is required to be obtained from Council for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment.

All footpath crossings, laybacks and driveways are to be constructed according to Council’s Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings DS1 (Kerbs & Laybacks); DS7 (Standard Passenger Car Clearance Profile); DS8 (Standard Vehicular Crossing); DS9 (Heavy Duty Vehicular Crossing) and DS10 (Vehicular Crossing Profiles).

The application for a driveway crossing requires the completion of the relevant application form and be accompanied by detailed plans showing, grades/levels and specifications that demonstrate compliance with Council’s standards, without conflict with all internal finished surface levels. The detailed plan must be submitted to Council’s Civil Assets Team for approval prior to commencement of the driveway crossing works. A fee in accordance with Councils adopted ‘Fees and Charges’ will need to be paid at the time of lodgement.

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

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

Reason: Pedestrian and Vehicle safety.

DE0018 Reinstatement of laybacks etc

96. 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.

EAE0001 #All works/methods/procedures/control measures

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

a. Acoustic Report No. **18122001J**, dated 20 October 2020, prepared by Telemetrix Acoustic & Vibration Specialists.

Reason: To demonstrate compliance with submitted reports.

LE0002 Cert.Auth.Arrange Qualified LandscapeArch.(multi)

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

Reason: To ensure restoration of environmental amenity.

PART F – OCCUPATION AND ONGOING USE

PFFNSC Non-standard - The Use of the Site

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99. The operation of the boarding house is to be in accordance with the approved Plan of Management at all times. Any variation to the Plan of Management may only be made with the written consent of Council.

Reason: To ensure the boarding house operates in accordance with the assessed Plan of Management.

100. The premises shall be used as a boarding house as defined in Section 516 (1A) of the Local Government Act 1993, being a building wholly or partly let as lodging in which each letting provides occupant with a principal place of residence.

Reason: To ensure the boarding house is operating appropriately.

101. The applicant and any subsequent operator must comply with all provisions of the Boarding Houses Act 2012.
Reason: To ensure the boarding house in operating appropriately.
102. The owner and/or their representative such as an agent are not permitted to advertise or organise for short term or share accommodation in the building.
Reason: to ensure the development operates as a boarding house.
103. The owner and/or their representative such as an agent are not permitted to advertise or organise for short term or share accommodation in the building.
Reason: to ensure the development operates as a boarding house.
104. The lodgers must be subject to an occupancy agreement for a term of at least three months.
Reason: To ensure the development operates as a boarding house.
105. The accommodation of the building must be used as a boarding house as defined in the Parramatta Council LEP 2011 and DCP 2011, and not for the purposes of a hotel, motel, serviced apartment, private hotel, tourist accommodation or the like.
Reason: To ensure the development operates as a boarding house.
106. The premises shall require licensing pursuant to the Youth and Community Services Act 1973 should one or more occupants be diagnosed as having a disability.
Reason: Legislative Requirement.
107. Any double rooms are to be limited to a maximum of 2 occupants per room.
Reason: To be in accordance with Parramatta DCP 2011.
108. The boarding house is not to exceed 70 tenants, with 1 onsite manager at any one time.
Reason: To ensure amenity for tenants.
109. The boarding house must be operated by a Social Housing Provider. A notice is to be placed near the entrance to the property in a visible location to the public advising of the name and contact number of the Social Housing Provider.
Reason: To ensure proper management of the premises.
110. The Social Housing Provider shall maintain a computer record of all residents with details of their names, length of stay, number of persons in each room, and that such record shall be retained for two years for

inspection on demand by a Council Officer or any other regulatory authority.

Reason: To ensure that appropriate records are kept.

111. The Social Housing Provider, upon signing of the lease or licensing agreement, shall provide boarders with a key to their individual room and common areas.

Reason: To ensure tenant amenity.

112. The development must be registered as a General Boarding House or Assisted Boarding House (as applicable) under the Boarding House Act 2012 with NSW Department of Fair Trading within 28 days of the issue of the Occupation Certificate as required by the Act and proof of registration submitted to Council.

Reason: To comply with the Boarding House Act 2012.

113. The boarding house owner must lodge an Annual Return (which sets out any changes to the registration details) within 28 days of the 12-month anniversary of the date of their initial registration, and notify Fair Trading NSW within 28 days of the cessation of the premises being used as a boarding house. A copy of this information to be provided to Council.

Reason: To ensure the boarding house operates appropriately.

114. The applicant must complete a standard form occupancy agreement for general boarding houses under the Boarding Houses Act 2012 for each new occupant of the boarding house prior to the commencement of their tenancy.

Reason: To comply with the Boarding Houses Act 2012.

115. The applicant must complete a standard form occupancy agreement for general boarding houses under the Boarding Houses Act 2012 for each new occupant of the boarding house prior to the commencement of their tenancy.

Reason: To comply with the Boarding Houses Act 2012.

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

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

117. Each occupant of the boarding house shall be presented with a set of house rules approved by the certifying authority.

Reason: To ensure that the amenity of the surrounding area and for boarding house residents is maintained.

118. A copy of the House Rules shall be placed in prominent locations on the site, including in all communal areas, behind doors in bedrooms and upon the rear façade of the building, in order to familiarise residents of the boarding house with acceptable activities.

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

119. Any variation to the on-site management is to be carried out with prior approval from Council by way of a formal application to amend the Conditions of Consent.

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

120. The proponent shall also ensure that each room is provided with the following basic facilities:

- a) Mirror;
- b) Table & chair;
- c) Small bar fridge;
- d) A night light or other approved illumination device for each bed;
- e) Waste container;
- f) An approved latching device on the door;
- g) Curtains, blind or similar privacy device;
- h) A bed; and
- i) A microwave.

Reason: to ensure tenant amenity.

121. If contaminated sharps are generated, non-reusable sharps containers shall be provided in accordance with relevant Australian standards for disposal. Final disposal must be undertaken by licensed contaminated waste contractors, with a copy of contract to be provided to Council.

Reason: To ensure waste is properly disposed of.

122. The individual rooms and common areas are to be maintained in a clean and tidy state and individual's rubbish is to be placed in the appropriate receptacles.

Reason: to ensure proper management of the premises.

123. No fire, candles or naked flames are permitted within individual rooms – this includes smoking.

Reason: To ensure fire safety.

124. No strata subdivision of the Boarding House is permitted.

Reason: To ensure the boarding house operates in accordance with the definition of a boarding house under Parramatta Local Environmental Plan 2011.

125. Operation and use of the Boarding House should be undertaken in accordance with Schedule 2 [Standards Enforceable by Orders] of the Local Government (General) Regulation 2005. Council will conduct routine annual inspections in order to ensure compliance with the requirements of the Schedule and Council staff will report in writing on the results of the inspection by the Council Officer. A fee is payable for this service under Section 608 of the Local Government Act 1993.

Reason: To ensure the boarding house is operating appropriately.

126. Occupants of the boarding house are not eligible to obtain a resident car parking permit.

Reason: to maintain on-street parking along Prince Street.

127. Communal spaces are to be maintained to be high quality, and destination for relaxation, hosting and social gathering.

Reason: to ensure high quality communal areas.

PF0004 External Plant/Air-conditioning noise levels

128. Any external plant/air-conditioning system must not exceed a noise level of 5dBA above the background noise level when measured at the boundaries of the property.

Reason: To minimise noise impact of mechanical equipment.

PF0049 Graffiti Management

129. 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.

PF0054 Release of Securities/Bonds (DIEP Mandatory Cond)

130. When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held.

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

Note: A written application to Council's Civil Assets Team is required for the release of a bond and must quote the following:
(a) Council's Development Application number; and
(b) Site address.

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

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

TF0001 #Roller shutter door security access card reader

131. If a roller shutter door is to be provided at the driveway entry and exit from O'Reilly Street, it is to be operated via remote control. A security access card reader cannot be installed for this development as it will impede access to the carpark and not comply with Clause Nos. 3.3(b) of AS 2890.1-2004.

Reason: To comply with Australian Standards.

EAF0001 Use is not to cause offensive noise or vibration

132. 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.

EAF0004 No 'offensive noise'

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

Reason: To reduce noise levels.

EAF0007 Noise from mechanical equipment

134. 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.

EAF0010 Air Conditioners in Residential Buildings

135. The air conditioner/s must not:

- a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
 - i. before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
 - ii. before 7.00am and after 10.00pm on any other day.

- b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those as specified in (1), which exceeds the background (LA90, 15 minute) by more than 5dB(A).

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

Reason: To prevent loss of amenity to the area.

EWF0003 Remove putrescible waste at sufficient frequency

136. 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.

EWF0005 Management of waste storage facilities

137. 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.

EWF0006 Storage of bins between collection periods

138. 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.

Date: 31 May 2022

Responsible Officer: Darren Wan