



ADDENDUM ASSESSMENT REPORT TO PARRAMATTA LOCAL PLANNING PANEL

Summary

DA No:	DA/61/2022
Property:	2-4 Boundary Street and 85 Railway Street, Parramatta NSW 2150, Lot 2 DP 202700, Lot 6 DP 16496 and Lot 1 DP 202700.
Proposal:	Demolition of existing structures, tree removal, lot consolidation and the construction of a four (4) storey Residential Flat Building with basement parking.
Applicant:	Mr A Ishara
Owner:	Infinity Idea Pty Ltd
Is the property known to be owned by a Council employee or Councillor?	No
Political donations/gifts disclosed:	None disclosed on the application form
Submissions received:	One (1) unique submission received
Conciliation Conference Held:	No
Recommendation:	Deferred Commencement Approval
Responsible Officer:	Sumitava Basu

Legislative requirements

Environmental Planning Instruments (EPIs)	<ul style="list-style-type: none">• State Environmental Planning Policy (Resilience and Hazards) 2021;• State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004;• State Environmental Planning Policy (Transport and Infrastructure);• State Environmental Planning Policy (Biodiversity and Conservation) 2021;• State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development; and• Parramatta Local Environmental Plan 2011.
Zoning	<ul style="list-style-type: none">• R4 High Density Residential
Heritage item	No but in vicinity of the following: <ul style="list-style-type: none">• Local historic item 460 (<i>Chadwick Guest House (former Amwell)</i>) at 6 Boundary Street; and• Local historic item 86 (<i>Stone boundary marker</i>) at 128-130 Railway Street.
Heritage Conservation Area	No
Archaeological heritage	No
Integrated development	No
Designated development	No
Crown development	No
Clause 4.6 Variation	Yes – Variation to Clause 4.3 – Building Height

Delegation

Parramatta Local Planning Panel (PLPP) due to the following reasons:

- SEPP 65 building with 4 or more storeys; and
- More than 10% variation of Clause 4.3 Height of Building.

1.0 Relevant Background

On 24 June 2014, a prelodgement meeting (PL/48/2014) was held for a three storey residential flat building consisting of 18 units and basement parking. The architectural plans submitted for the development application vary significantly from the plans considered as part of the pre-lodgement.

On 24 January 2022, the development application (DA/61/2022) for '*demolition of existing structures, tree removal, lot consolidation and the construction of a four (4) storey Residential Flat Building with basement parking*' was lodged.

The development application was notified for 21 days between 4 February 2022 to 25 February 2022, in response one (1) unique objection were received.

On 28 April 2022, the proposal was referred to DEAP. The advice from DEAP is attached with this report.

On 15 November 2022, the development application was considered by the Parramatta Local Planning Panel, where it was deferred for the following matters to be addressed:

- *Provision of information (including sketch plans) regarding shading required to the north, east, and west facing windows as referred to at point 17 of the Design Excellence Assessment Panel comments on page 10 (of 66 pages) of the council report. Any proposed shading device must not affect solar access requirements under the Apartment Design Guidelines.*
- *Assessment of impacts including impacts on vegetation of any required drainage easement through 7 or 9 Rosehill Street Parramatta.*
- *Detailed plans and sections including screening and landscaping details to be provided to address privacy issues along the northern boundary between adjoining neighbours and ground floor courtyards.*

2.0 Summary of Amendments

The amendments made to the original proposal are summarised below:

Ground floor level

- Addition of 450mm awning to windows on the north and east facades;
- Recede the northern side courtyard fence of units G01 and G02 by 1m and replace with planter box;
- Addition of a 600mm privacy screen on top of the 1.2m courtyard fence to the north and east of Unit G02, to the east of Unit G03 and to the north of Unit G01;
- Addition of a 1.8m privacy screen on the northern side of the pedestrian ramp between the ground level communal open space and the northern side nature strip;

First floor level – second floor level

- Addition of 450mm awning to windows on the north and east facades;
- Replacement of fixed louvres with operable louvres to the north, east and west of the elevations;

Third floor level

- Operable louvres to the north, east and west of the elevations

Note: Additional information submitted on minimising impact on the surrounding natural environment.

3.0 Summary of Compliance

3.1 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 4

The amended plans do not alter compliance with the SEPP as considered by PLPP in the previous meeting and is considered acceptable.

3.2 STATE ENVIRONMENTAL PLANNING POLICY – BASIX

The amended architectural plans may affect the fulfillment of BASIX requirements as identified in the originally submitted plans. A condition is recommended that an amended BASIX certificate based on the amended set of plans is to be prepared and submitted to satisfaction of Council prior to issue of the construction certificate.

3.3 STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

The amended plans do not impact on compliance with the controls of the SEPP as considered by the PLPP in the previous meeting.

3.4 STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY & CONSERVATION) 2021 - VEGETATION IN NON-RURAL AREAS (CHAPTER 2)

The amended plans do not impact on compliance with the controls of the SEPP as considered by the PLPP in the previous meeting.

3.5 State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development

The amended plans have been assessed against the following matters relevant to SEPP 65 for consideration:

- a. Design Excellence Advisory Panel (DEAP);
- b. The SEPP 65 Design Quality Principles; and
- c. The Apartment Design Guide (ADG).

Design Excellence Advisory Panel

The relevant comments by DEAP on 28 April 2022 are discussed below:

1. *The Panel commented that the DA drawings indicate the basement protrudes out of the ground (north-eastern portion of the site up to 2m from natural grade height, refer to section B on drawing # 3001). This is a concern and impacts how a viable communal landscape area can be demonstrated over a concrete deck.*

The proposed privacy screens on the courtyard fence and additional vegetation shall prevent any opportunity of privacy impacts on the neighbouring properties on the north and living area and private open space of the ground floor units from the communal open space in response to point 1 of the DEAP stating ‘a concern and impacts how a viable communal landscape area can be demonstrated over a concrete deck.’

17. *All north, east and west facing windows are required to be shaded.*

The proposed window awning and the operable louvres are in response to point 17 of the DEAP stating 'All north, east and west facing windows are required to be shaded' for sun protection and reduce glare without impacting the minimum regulatory solar access.

Design Quality Principles

The amended plans have been submitted to increase the amenity of the future residents and the neighbouring properties with minimal environmental impacts as considered by the PLPP in the previous meeting.

Apartment Design Guide

The amended application is consistent with the design criteria in the ADG as considered by the PLPP in the previous meeting. The table below considers the proposal against relevant key matters:

Control	Original Proposal	Amended Proposal
Part 3 – Siting the Development		
3F Visual Privacy <i>Separation between windows and balconies is provided to ensure visual privacy is achieved.</i>	Complies	Yes. Additional privacy screens and vegetation proposed to mitigate potential privacy impacts from the ground floor level units and communal open space.
Part 4 - Amenity		
4A Solar and daylight access	Complies.	Yes. The proposed awning and louvres will not impact on compliance with the regulatory standards.
4E – Private open space and balconies <i>For apartments at ground level or on a podium or similar structure, a private open space is provided instead of a balcony. It must have a minimum area of 15m² and a minimum depth of 3m.</i>	Complies.	Yes. The reduced courtyard of both Unit G01 and G02 will continue to comply with the minimum regulatory standards.
It is noted, the amended development proposal is not inconsistent with other relevant regulatory standards.		

3.6 Parramatta Local Environmental Plan 2011

No changes proposed by the amended development proposal to compliance with relevant regulatory standards including the deficient with respect to the height of building as considered by the PLPP in the previous meeting.

3.7 Parramatta Development Control Plan 2011

The amended plans have been assessed against the following matters relevant to PDCP for consideration:

Development standard	Original Proposal	Amended Proposal
Part 3 Development Principles		
Landscaping	Complies.	Yes. Additional landscaping on the northern boundary for natural setting and privacy.
Building form and massing	Complies.	Yes. Minimal impact on the building form and massing as considered by the PLPP in the previous meeting.
Energy efficient design	Complies.	Yes. Appropriate condition has been included ensuring the proposal complies with the SEPP (BASIX) commitments.

Private Open Space <i>Min 10m² with 2.5m dimensions per unit</i>	Complies.	Yes. The reduced courtyard of both Unit G01 and G02 will continue to comply with the minimum regulatory controls.
Visual and Acoustic Privacy	Additional measures recommended	Yes. Additional privacy screens and vegetation proposed to mitigate potential privacy impacts from the ground floor level units and communal open space.
Solar access	Complies.	Yes. The proposed awning and louvres will not impact on compliance with the regulatory controls.
It is noted, the amended development proposal is not inconsistent with other relevant regulatory controls.		

3.8 DRAFT PARRAMATTA LOCAL ENVIRONMENTAL PLAN 2020

The amended plans do not impact on compliance with the controls of the draft PLEP 2020, as considered by the PLPP in the previous meeting.

4.0 REFERRALS

INTERNAL REFERRALS	COMMENT
Landscape	The revised plans and the addendum to the Arboricultural impact assessment have been found satisfactory by Council Landscape officer. A revision of Condition 75 has been recommended for non-destructive construction methods and supervision of an Arborist during excavation through the neighbouring properties for stormwater drainage works.
EXTERNAL REFERRALS	
No external referrals required.	

5.0 SUITABILITY OF THE SITE

The subject site is considered suitable for the amended proposal, being compliant with relevant regulatory standards and policies.

6.0 CONCLUSION

The issues raised by the PLPP in the previous meeting has been addressed. It is the view of the Council that the amended proposal is in a form that can be supported and is recommended for approval as deferred commencement consent.

7.0 RECOMMENDATION

Pursuant to Section 4.17 of the Environmental Planning and Assessment Act, 1979,

DEFERRED COMMENCEMENT APPROVAL SUBJECT TO CONDITIONS

- (a) **That**, the Parramatta Local Planning Panel, exercising the functions of Council, pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, grant **deferred commencement consent** to DA/61/2022 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent,
- (b) **Further**, that objectors be advised of the Panel's decision.

Reasons of Approval

It has been recommended for approval for the following reasons:

1. A written request to vary the building height has been received and is well drafted;
2. The height variation is not significant and retains the primary presentation of the building as a 4-storey residential flat building that is consistent with other residential flat buildings with the locality;
3. The building has been appropriately articulated and modulated. Façade treatment, material variation and private open spaces have been provided in order to minimise the external bulk and scale;
4. The height variation does not result in reasonable amenity impact on the neighbouring properties;
5. Council is satisfied that the Applicant's Clause 4.6 variation request has adequately addressed the matters required to be demonstrated in Clause 4.6(3) of Parramatta LEP 2011;
6. The proposed density is reasonable for the site, with regards to context and zoning;
7. The development is permissible in the R4 zone and satisfies the requirements of all of the applicable planning controls;
8. The design of the development was considered satisfactory by Council's Design Excellence Advisory Panel subject to recommended amendments; and
9. The development will be compatible with the emerging and planned future character of the area; and
10. For the reasons given above, approval of the application is in the public interest.

DRAFT DEFERRED COMMENCEMENT CONDITIONS

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

Development Consent No.: DA/61/2022
Property Address: LOT 2 DP 202700, LOT 6 DP 16496, LOT 1 DP 202700

Schedule 1:

DAA0002 #Interallotment Drainage Easement

Pursuant to the provisions of Section 4.16(3) of the Environmental Planning and Assessment Act, 1979, the development application be granted a Deferred Commencement Consent subject to the completion of the following:

Submission to Council of suitable documentary evidence issued by NSW Land Registry Services confirming the creation of an easement to drain water, minimum 1.2 metres wide, over a downstream property or properties to drain the subject development to Rosehill Street and benefiting the subject lots known as Lot 1 DP202700 (No. 85 Railway Street Parramatta), Lot 2 DP202700 (No. 2 Boundary Street Parramatta) and Lot 6 DP16496 (No. 4 Boundary Street Parramatta) has been registered.

The easement path is to begin at the north-eastern corner of Lot 6 DP16496 (No. 4 Boundary Street Parramatta) and continue through either:

- a) Along the eastern side boundary of Lot 13 DP16496 (No. 7 Rosehill Street Parramatta), or,
- b) Along the western side boundary of Lot 14 DP16496 (No. 9 Rosehill Street Parramatta) with an additional easement at the south-eastern corner of Lot 13 DP16496 (No. 7 Rosehill Street Parramatta) or the north-western corner of Lot 45 DP868115 (No. 6 Boundary Street Parramatta) to provide a continuous path for both pipe and surface flows.

Suitable documentary evidence includes up to date title searches of all properties involved and copies of the registered transfer documents or deposited plans with LRS stamps and/or barcodes.

The above requirement(s) must be satisfied within 24 months of this determination or the consent will lapse.

Advisory Note: Easements through Council properties (or Crown land managed by Council) can take up to 12 months to finalise.

Upon compliance with the above requirements, a full Consent will be issued subject to the following conditions:

Advisory Note:

Requesting Operational Consent: Once logged into the NSW Planning Portal, locate and open the development application with the deferred commencement in your Active work – Select “Request Operational Consent” from the Actions dropdown Menu – Enter the details of the Request – Upload your documents and categorise the file type before clicking attach – Click on the submit button

If you need more information, or experience any issues, you will need to liaise directly with ServiceNSW. To contact ServiceNSW, please phone 1300 305 695 or email info@service.nsw.gov.au.

Schedule 2:

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.28806) by IDA Design Group

Drawing/Plan No.	Issue	Plan Title	Dated
0006	B	Site Plan	25.10.2022
1001	B	Basement Plan	14.09.2022
1002	B	Ground Floor Plan	7.12.2022
1003	B	Level 1 Floor Plan	7.12.2022
1004	B	Level 2 Floor Plan	7.12.2022
1005	B	Level 3 Floor Plan	7.12.2022
1006	B	Roof Plan	14.09.2022
2001	B	Elevations Plan	7.12.2022
2002	B	Elevations Plan	7.12.2022
3001	B	Section Plan	25.10.2022
4012	B	Details	14.09.2022
4017	B	Courtyard Details	7.12.2022

Civil Drawings/Stormwater (Project No.2021316) by Telford Civil

Drawing/Plan No.	Issue	Plan Title	Dated
000	B	Cover Sheet Plan	21.06.2022
101	B	Stormwater Concept Plan- Basement Level Sheet 1 of 2	21.06.2022
102	B	Stormwater Concept Plan- Basement Level Sheet 2 of 2	21.06.2022
103	B	Stormwater Concept Plan	21.06.2022
104	B	Site Plan	21.06.2022
105	B	WSUD Catchment Plan	21.06.2022
106	B	OSD & WSUD Details & Calculations Sheet 1 of 2	21.06.2022
107	B	OSD & WSUD Details & Calculations Sheet 2 of 2	21.06.2022
108	B	Miscellaneous Details Sheet	21.06.2022

Landscape Drawings by Canvas Landscape Architects

Drawing/Plan No.	Issue	Plan Title	Dated
DA-L101	B	Landscape Plan – Ground Floor	22.06.2022
DA-L102	B	Landscape Plan – roof top COS & Sections	22.06.2022
DA-L103	B	Landscape typical details & maintenance schedule	22.06.2022

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Statement of Environmental Effects	-	-	Think Planners	19.12.2021
Waste Management Plan	-	-	Ali Ibshara	16.12.2021
Finishes Schedule	5002	A	IDA Design Group	Undated
BASIX Certificate No.1264524M_03	-	-	EPS	16.12.2022
Preliminary Site Investigation report	E21261-1	-	Geotechnical Consultants Australia	10.12.2021
Geotechnical Investigation & Acid Sulfate Soils Assessment report	31552/5832D-G	21/3410	STS Geotechnics P/L	2.12.2021
Traffic Report	N216716A	1b	Motion Traffic Engineers P/L	June 2022

Access report	21409	A	Vista Access Architects	11.12.2021
Arboricultural Impact Assessment Statement	-	-	TreeHaven Environscapes	6.12.2021
Addendum to Arboricultural Impact Assessment Statement	-	-	TreeHaven Environscapes	1.12.2022
Acoustic report	R210908	R1	Rodney Stevens Acoustics	2.12.2021
Hazardous Materials Survey	E21250-1	-	Geotechnical Consultants Australia	3.12.2021
BCA Compliance Assessment report	-	-	VCD Certification	25.11.2021

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.

PA0011 #Demolition of Buildings

3. Approval is granted for the demolition of all buildings and outbuildings currently on the property, subject to compliance with the following: -

(a) Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - Demolition of Structures.

Note: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.

(b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.

- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 469 of the Work Health and Safety Regulation 2017.
- (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (h) Prior to the commencement of any demolition works, and where the site ceases to be occupied during works, the property owner must notify Council to discontinue the domestic waste service and to collect any garbage and recycling bins from any dwelling/ building that is to be demolished. Waste service charges will continue to be charged where this is not done. Construction and/ or demolition workers are not permitted to use Council's domestic waste service for the disposal of any waste.
- (i) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (j) Demolition is to be completed within 5 days of commencement.
- (k) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- (l) 1.8m high Protective fencing is to be installed to prevent public access to the site.

- (m) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
 - (i) Proposed ingress and egress of vehicles to and from the construction site;
 - (ii) Proposed protection of pedestrians adjacent to the site;
 - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
- (n) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environment Protection Authority (EPA).
- (o) Before demolition works begin, adequate toilet facilities are to be provided.
- (p) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
- (q) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
 - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

LA0001 #Tree Retention

4. Trees to be retained are:

Tree No.	Name	Common Name	Location	Tree Protection Zone (m)
1	<i>Olea africana</i>	African Olive	3 Rosehill Street	6m

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

LA0003 #Replacement of street trees

5. The following street trees shall be planted within the road reserve;

Qty	Name	Common Name	Minimum Pot Size	Name of Street Frontage
3	<i>Corymbia maculata</i>	Spotted Gum	45L	Railway Street
1	<i>Corymbia maculata</i>	Spotted Gum	45L	Boundary Street

Note: All approved street tree plantings shall be planted a minimum of 3m from any driveway and 12m from an intersection.
Reason: To ensure restoration of environmental amenity.

PA0004 No encroachment on Council and/or Adjoining proper

6. 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)

7. Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy of either *0.35% of the value of building and construction work where the cost of building is \$25,000 or more (inclusive of GST)* or as calculated at the date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

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

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

PA0014 #Payment of Security deposits(DIEP Mandatory Cond)

8. 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: Applies to all developments with a cost greater than \$1,000,000 (fee is per street frontage). See current Schedule of Fees and Charges.	\$51,500.00

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/61/2022**;
- (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.

EWA0002 Amenity of waste storage areas (general)

9. 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.

EWA0006 Provide waste storage room on premises

10. A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) including:

- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types and bulky materials;
- (b) The floor being graded and drained to an approved drainage outlet connected to the sewer and having a smooth, even surface, coved at all intersections with walls;
- (c) The walls being cement rendered to a smooth, even surface and coved at all intersections;
- (d) Cold water being provided in the room with the outlet located 1.5m above floor level to avoid damage and a hose fitted with a nozzle being connected to the outlet;

- (e) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Reason: To ensure provision of adequate waste storage arrangements

ECA0001 Hazardous/intractable waste disposed legislation

11. 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 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.

ECA0004 Imported fill

12. 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.

ECA0005 Signage – Contamination

13. 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.

ECA0006 Require to notify about new contamination evidence

14. 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.

ECA0007 Discharge of Contaminated Groundwater

15. 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.

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.

ECA0009 Contaminated waste to licensed EPA landfill

16. 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.

PANSC Non-standard - General Matters

17. The Principal Certifying Authority (PCA) shall ensure the approved development complies with the following matters:

- Compliance with the recommendation of the accompanying *Access report ref. 21409 rev. A by Vista Access Architects dated 11.12.2021*;
- Low level thresholds at the abutment of differing surfaces;
- Abutment of surfaces have a smooth transition; and
- Universal access to all common features and areas including the communal open spaces, seating, tables and BBQs etc.

Reason: To comply with the Australian Standards.

18. The Principal Certifying Authority (PCA) shall ensure the approved development complies with the recommendation of the accompanying *Preliminary Site Investigation report ref. E21261-1 by Geotechnical Consultants Australia dated 10 December 2021*

Reason: To comply with the Australian Standards.

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.)

PBNSC Non-standard - Prior to the issue of a CC

19. Amended plans shall be submitted for satisfaction for the Principal Certifying Authority (PCA) showing 1.8m privacy screen installed to the north of the pedestrian ramp between the ground level communal open space and the northern side nature strip prior to issue of the Construction Certificate.

Reason: To prevent privacy impacts.

DB0001 Stormwater Disposal

20. All roof water and surface water shall 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

21. 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

22. 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

23. 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

24. 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

25. 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, Project No. 2021316, Issue B, dated 21 June 2022, prepared by Telford Civil.
- (b) A Site Storage Requirement of 215 m³/ha and a Permissible Site Discharge of 235 L/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.

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

26. 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 Certifying Authority and shall be consistent with the concept stormwater drainage plans, Project No. 2021316, Issue B, dated 21 June 2022, prepared by Telford Civil.

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

DB0015 Shoring for adjoining Council property

27. 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

28. 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

29. 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.

30. 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

31. 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.

LB0001A Planting upon Structure

32. 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.

(b) All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.

(c) Any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect.

(d) Sections through the planters supporting the trees and shrubs at both ground level and podium level are required to show the soil volume and soil depth meet the prescribed soil standards as stated in "Apartment Design Guide – Part 4, 4P Planting on Structures - Tools for improving the design of residential apartment development" (NSW Department of Planning and Environment, 2015).

- Typical tree planting on structure to show overall 800-1200mm soil depth. (Soil Volume to be reflective of proposed tree species size)
- Typical shrub planting on structure 500-600mm soil depth;
- Typical turf planting on structure 200-300mm soil depth.

(e) Sections through the OSD supporting shrubs and groundcovers are required to show the soil volume and soil depth meet the prescribed soil standards as stated in "Apartment Design Guide – Part 4, 4P Planting on Structures - Tools

for improving the design of residential apartment development” (NSW Department of Planning and Environment, 2015).

- Typical shrub planting on structure 500-600mm soil depth;
 - Typical turf planting on structure 200-300mm soil depth.
- (f) Tree planting densities shall not exceed the prescribed soil volume and area as per ADG – Part 4 requirements.
- (g) 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.
- (h) An Irrigation plan and specification must be provided by a suitably qualified Hydraulic Engineer.

Reason: To ensure the creation of functional gardens.

LB0003 #Tree Retention

33. Prior to the issue of the Construction Certificate, the Certifying Authority must be satisfied the installation of drainage pipes and sub-soil pipes within the Tree Protection Zones (TPZ) of tree T1 are to be installed using non-destructive construction method such as hydro-vac or careful hand-dig to retain all roots over 30mm in diameter. Pipes are to be tread through roots. Notes and Tree Protection Zones to be added to the civil plans and Arboricultural Impact Assessment Report.

All designs for these construction works will need to be pre-approved and done in consultation with the Project Arborist before they are issued for Construction Certificate to ensure they have minimise the impact to the tree roots within the Tree Protection Zone (TPZ) to below 10% encroachment as per the AS4970-2009 *Protection of trees on development sites*. Once all adequate design amendments have been made, plans submitted with the Construction Certificate application must reflect the above requirements.

Tree No.	Name	Common Name	Radius from the trunk
1	<i>Olea africana</i>	African Olive	6m

Plans submitted with the Construction Certificate application must reflect the above requirements.

Reason: To ensure adequate protection of existing trees.

LB0004 #Landscaping Plan

34. The final Landscape Plan must be consistent with plan numbered DA-L101 to DA-L03, rev B dated 22.06.2022, prepared by Canvas Landscape Architects together with any additional criteria required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:
- (a) Ensure screening between properties and along all rear boundaries to provide privacy and amenity is provided. Hedge species must be able to reach a mature height of 1.8m.
 - (b) Ensure all tree replacement species are located with a minimum setback of 3.5m to the outside enclosing wall of a legally constructed building edge, and a minimum 2m away from any existing or proposed drainage line.

- (c) GFC planters supporting the trees at both ground level and podium level are to be replaced with suitably larger planters which meet the soil volume and soil depth prescribed in “Apartment Design Guide – Part 4, 4P Planting on Structures - Tools for improving the design of residential apartment development” (NSW Department of Planning and Environment, 2015).
- Typical planter supporting a small tree on structure to show overall 800-1200mm soil depth. (Soil volume to be reflective of proposed tree species size – Small trees must have a minimum 9m³ / 3.5 x 3.5m width).
- (d) All landscape plans are to be prepared by a professionally qualified Landscape Architect.

Reason: To ensure restoration of environmental amenity.

LF0001 Landscape maintenance

35. All landscape works shall be maintained for a minimum period of one (1) year following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

PB0008 No external service ducts for multi-unit develop

36. 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.

PB0012 Single master TV antenna

37. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed on each 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 Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To protect the visual amenity of the area.

PB0028 SEPP 65 verification

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

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

Reason: To comply with the requirements of SEPP 65.

PB0030 Infrastructure & Restoration Adm. fee for all DAs

39. 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 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.

PB0032 Constr. Noise Managt. Plan for townhouses & above

40. 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

41. 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.

PB0039 #Adaptable Dwellings for Multi-unit and RFB's

42. The development must incorporate three (3) adaptable dwellings. Plans submitted with the Construction Certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

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

TB0001 #Car Parking Condition

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

44. 15 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.

TB0003 #Parking Provision

45. 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 38 parking spaces is to be provided and be allocated as follows:

- a) 31 spaces for the residential units including 3 spaces as accessible parking;
- b) 7 visitor parking;

Tandem car spaces are to be allocated to same same unit. 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

46. 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.

TB0013 #Waiting Bay and Traffic Signal System

47. One (1) waiting bay and traffic signal system are to be installed and implemented on the ground level and basement level to regulate traffic flow and safety along the ramp to the basement. Details are to be illustrated on plans submitted with the construction certificate.

Reason: To ensure safe traffic movement at parking areas.

PB0052 #Parra Develop Contrib. Plan – Outside CBD 2021 (net resident increase)

48. A monetary contribution comprising **\$400,726.85** is payable to City of Parramatta Council in accordance with Section 7.11 of the Environmental Planning and Assessment Act 1979 and the *City of Parramatta (Outside CBD) Development Contributions Plan 2021*. Payment must be made by direct bank transfer or credit/debit card only. Payment can be made by contacting Council's Customer Contact Centre on 1300 617 058.

Contribution Type	Amount
Open space and outdoor recreation	\$ 260,963.76
Indoor sports courts	\$ 23,785.04
Community facilities	\$ 31,282.47
Aquatic facilities	\$ 7,290.63
Traffic and transport	\$ 73,578.62
Plan administration	\$ 3,826.33
Total	\$ 400,726.85

Timing of payment

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

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

The *City of Parramatta (Outside CBD) Development Contributions Plan 2021* 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.

EWB0002 Management of Construction and/or Demolition Waste

49. 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.

EAB0001 Noise impact on residential building

50. 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.

EAB0005 Noise Management Plan -Demo. Excav. & Construction

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

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

- a) Confirmation of the level of community engagement that has, is and will be undertaken with the Building Managers/occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases;
- b) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties during the main stages of work;
- c) The course of action that will be taken following receipt of a complaint concerning site noise, dust and vibration;
- d) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring properties to a minimum; and
- e) What plant and equipment is to be used on the site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring properties and other less intrusive technologies available.

Reason: To maintain appropriate amenity to nearby occupants.

PART C – BEFORE THE COMMENCEMENT OF BUILDING WORK

BC0001 Toilet facilities on site

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

Reason: To ensure adequate toilet facilities are provided.

DC0002 Road Opening Permits - DA's involving drainage wrk

53. 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

54. 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

55. 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

56. 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

57. 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

58. 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

59. 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

60. 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.

LC0002 #Tree protection as per arborist report

61. 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 (including the Addendum) prepared by Treehaven Environments dated 20.06.2022 and 06.12.2021 and the conditions of consent.

Reason: To ensure the protection of tree 1 to be retained on the adjacent site.

LC0006 Pruning/works on tree(s)

62. 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.

LC0007 Tree Protection During Construction

63. Tree protection measures are to be installed prior to works commencing on site 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.

PC0001 #Appointment of PCA

64. 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

65. 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

66. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 70 of the Environmental Planning and Assessment Regulations 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

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

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

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

68. 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.

EWC0002 Asbestos – signage

69. 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

70. An updated Waste Management Plan is to be submitted immediately after the letting of all contracts detailing the:
- (a) expected volumes and types of waste to be generated during the demolition and construction stages of the development;
 - (b) destination of each type of waste, including the name, address and contact number for each receiving facility.

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.

ECC0001 Asbestos Hazard Management Strategy

71. 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 Safework 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.

PART D – WHILE BUILDING WORK IS BEING CARRIED OUT

DD0002 #Stormwater must be connected to the kerb & gutter

72. Stormwater must be connected to the kerb and gutter within Rosehill Street via the drainage easement.

Reason: To ensure satisfactory storm water disposal.

DD0005 Erosion & sediment control measures

73. 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

74. 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.

LD0006 #Excavation to be supervised by arborist

75. All excavation within 6m of *Olea africana* (African Olive), located within the rear garden of 3 Rosehill Street, and any stormwater drainage works proposed within 3m of trees located within the adjoining properties is to be supervised by an Australian Qualifications Framework (AQF) Level 5 arborist. All works within this zone is to be carried out using non-destructive construction method such as hydrovac or careful hand-dig to retain all roots over 30mm in diameter. Pipes are to be tread through roots. If during excavation the Arborist identifies remedial work is necessary, it is to be supervised by this Arborist.

Once the work is completed a written report detailing the work undertaken is to be forwarded to the Principal Certifying Authority **Reason:** To provided adequate protection of trees.

LD0011 Tree Removal

76. Trees to be removed are:

Tree No.	Species	Common Name	Location
2	<i>Schinus molle</i>	Pepper Tree	Rear garden
3	<i>Cinnamomum camphora</i>	Camphor Laurel	Rear garden
4	<i>Prunus cerasifera</i>	Ornamental Plum	Rear garden
5	<i>Macadamia tetraphylla</i>	Macadamia Nut Tree	Rear garden
6	<i>Lagerstroemia indica</i>	Crepe Myrtle	Front garden
7	<i>Brunsfelsia latifolia</i>	Yesterday, today, tomorrow	Front garden
8	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Front garden
9	<i>Hibiscus syriacus</i>	Rose of Sharon	Front garden
10	<i>Olea africana</i>	African Olive	Front garden

Reason: To facilitate development.

LD0012 Trees with adequate root volume

77. 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

78. 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.

PD0006 Hours of work and noise (DPIE Mandatory Condition)

79. 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.

PD0020 Building Work Compliance BCA (DIEP Mandatory Cond)

80. 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.

TD0001 Road Occupancy Permit

81. 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

82. 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.

EWD0002 Asbestos handled& disposed of by licensed facility

83. 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

84. 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.

ECD0005 Disposal of Material at Licensed Landfill

85. 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.

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.

DE0003 Work-as-Executed Plan (DPIE Condition)

87. 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

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

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

DE0005 #OSD Positive Covenant/Restriction

88. 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 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

89. 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.

DE0014 Lot consolidation

90. 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 NSW Land Registry Services, prior to an Occupation Certificate being issued.

Reason: To comply with the Conveyancing Act 1919.

DE0015 Driveway Crossover

91. 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

92. 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.

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

93. 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.

PE0001 Occupation Certificate

94. 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

95. 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

96. Under Section 75 of the Environmental Planning & Assessment Regulation 2021, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. **1264524M_03**, will be complied with prior to occupation.

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

PE0008 Completion of Public Utility Services

97. 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

PE0025 SEPP 65 verification statement OC stage

98. Design Verification issued by a registered architect is to be provided with the application for an Occupation Certificate verifying that the residential flat development achieves the design quality of the development as shown in the plans and specifications in respect of which the construction certificate was issued, having regard to the design quality principles set out in 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.

PE0026 PE25 –Adaptable dwellings Multi-unit and RFB’s modi

99. 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.

PE0027 Post Constr. Private Property Dilapidation Report

100. 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

EWENSC Non-standard - Prior to issue of Occ/Sub Cert/Use

101. 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.

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

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

EAE0001 #All works/methods/procedures/control measures

103. 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. R210908 rev. R1, dated 2.12.2021, prepared by Rodney Stevens Acoustics.

Reason: To demonstrate compliance with submitted reports.

PART F – OCCUPATION AND ONGOING USE

PF0004 External Plant/Air-conditioning noise levels

104. 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

105. 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)

106. When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held in accordance with ***Council's Schedule of Fees and Charges 2022-2023***.

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.

TF0002 #Roller shutter door intercom is installed

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

Reason: To comply with Australian Standards.

EWF0005 Management of waste storage facilities

108. 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

109. 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.

EWF0009 Signage in Shared Waste Areas

110. Signage to encourage correct recycling and reduce contamination is required within shared waste rooms / bin storage areas. Standard signage is available through Council.

Reason: To encourage proper waste and recycling practices onsite.

EAF0001 Use is not to cause offensive noise or vibration

111. 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'

112. 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

113. 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.

EAF0009 Use of Premises

114. 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 at any affected premises that exceeds the background (LA90) noise level in the absence of the noise under consideration by more than 5dB(A). The source noise level shall be assessed as an LAeq,15min and adjusted in accordance with Environment Protection Authority guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations and temporal content.

Reason: To prevent loss of amenity to the area.

Date: 2 January 2023

Responsible Officer: Sumitava Basu