

PROJECT APPLICATION APPROVAL

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

DETERMINATION OF A PROJECT APPLICATION FOR EARLY WORKS
FORMER CHANNEL 7 SITE, 61 MOBBS LANE, EPPING

(MP No. 08_0258)

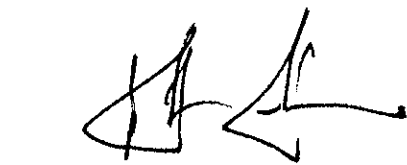
The Planning Assessment Commission of New South Wales (the Commission) having considered all relevant matters prescribed under Section 75J(2) of the *Environmental Planning and Assessment Act 1979*, including those relevant matters prescribed by Section 75I(2) as contained in the Director General's Environmental Assessment report, determine Major Project No. 08_0258 by **granting approval** to the major project described in the attached Schedule 1, subject to the conditions of approval in the attached Schedule 2 and the Proponent's Statement of Commitments in Schedule 3 pursuant to Section 75J(1) of the *Environmental Planning and Assessment Act 1979*.

The reasons for the conditions are:

- (1) To ensure the site is appropriately managed for the proposed use;
- (2) To adequately mitigate the environmental impacts of the development;
- (3) To reasonably protect the amenity of the local area; and
- (4) To protect the public interest



Member of the Commission



Member of the Commission

SYDNEY, 14 July 2010

SCHEDULE 1

PART A — TABLE

Application made by:	Meriton Apartments Pty Limited
Application made to:	Minister for Planning
Major Project Application:	MP No. 08_0258
On land comprising:	61 Mobbs Lane, Epping
Local Government Area	Parramatta City Council
For the carrying out of:	• Demolition of existing structures and tree removal • Construction of final landforms and landscaping of the public and private domain • Internal and external roadworks • Services, utilities and stormwater management works • A child care facility and private communal resident facilities • Consolidation of existing lots and subdivision into a community title allotment and Torrens title lot for the proposed child care centre
Capital Investment Value	\$22,668,000
Type of development:	Major Project under Part 3A of the Act.
Determination made on:	14 July 2010
Date approval is liable to lapse:	5 years from the date of determination unless the development has been physically commenced.

PART B—NOTES RELATING TO THE APPROVAL OF MP NO. 08_0258

Responsibility for other approvals / agreements

The Proponent is responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the *Environmental Planning and Assessment Act, 1979* and the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Legal notices

Any advice or notice to the approval authority shall be served on the Director-General.

PART C—DEFINITIONS

In this approval,

Act means the *Environmental Planning and Assessment Act, 1979* (as amended).

Advisory Notes means advisory information relating to the approved development but do not form a part of this approval.

BCA means the Building Code of Australia.

Certifying Authority has the same meaning as Part 4A of the Act.

Council means Parramatta City Council.

Department means the Department of Planning or its successors.

Director-General means the Director-General of the Department or his nominee.

Environmental Assessment (EA) means the Environmental Assessment prepared by JBA Urban Planning Consultants Pty Ltd and dated June 2009.

Minister means the Minister for Planning.

MP No. 08_0258 means the Major Project described in the Proponent's Preferred Project Report.

PCA means a Principal Certifying Authority and has the same meaning as Part 4A of the Act.

Preferred Project Report (PPR) means the Preferred Project Report prepared by Meriton Apartments Pty Limited and dated April 2010.

Proponent means Meriton Apartments Pty Limited or any party acting upon this approval.

Regulation means the *Environmental Planning and Assessment Regulation, 2000* (as amended).

Subject Site has the same meaning as the land identified in Part A of this schedule.

End of Section

SCHEDULE 2

RECOMMENDED CONDITIONS OF APPROVAL

MAJOR PROJECT NO. 08_0258

PART A - ADMINISTRATIVE CONDITIONS

A1 *Development Description*

Development approval is granted only to carrying out the development described in detail below:

- Demolition of existing structures and tree removal
- Construction of final landforms and landscaping of the public and private domain
- Internal and external roadworks
- Services, utilities and stormwater management works
- A child care facility and private communal resident facilities
- Consolidation of existing lots and subdivision into a community title allotment and Torrens title lot for the proposed child care centre

A2 *Development in Accordance with Plans and Documentation*

The development will be undertaken in accordance with MP No. 08_0258 and the Environmental Assessment dated June 2009, prepared by JBA Urban Planning Consultants Pty Ltd, except where amended by the Preferred Project Report dated April 2010, prepared by Meriton Apartments Pty Limited, and the following drawings:

Architectural Drawings prepared for the Environmental by PTW Architects			
Drawing No.	Revision	Name of Plan	Date
A18000	-	Drawing List	23/04/2009
A18001	-	Location Plan	23/04/2009
A18002	-	Materials and Finishes	23/04/2009
A18010	-	Site Plan Central Resident Facility	23/04/2009
A18011	-	Gym Floor Plan Central Resident Facility	23/04/2009
A18012	-	Elevations & Sections Central Resident Facility	23/04/2009
A18013	-	South Perspective View Central Resident Facility	23/04/2009
A18014	-	Shadow Studies Central Resident Facility	23/04/2009
A19010	-	Floor Plan Child Care Centre	23/04/2009
A19011	-	Elevations Child Care Centre	23/04/2009
A19012	-	Sections Child Care Centre	23/04/2009
Engineering Plans prepared for the Environmental Assessment by Worley Parsons			
Drawing No.	Revision	Name of Plan	Date
7587-PA-01	D	Title Sheet, Locality Plan & Drawing List	27/04/2009
7587-PA-02	D	Existing Survey	27/04/2009
7587-PA-03	D	General Layout Plan Sheet 1 of 2	27/04/2009

7587-PA-04	D	General Layout Plan Sheet 2 of 2	27/04/2009
7587-PA-05	D	Bulk Earthworks Cut / Fill Plan Sheet 1 of 2	27/04/2009
7587-PA-06	D	Bulk Earthworks Cut / Fill Plan Sheet 2 of 2	27/04/2009
7587-PA-07	D	Bulk Earthworks Site Sections	27/04/2009
7587-PA-08	D	Grading Plan Sheet 1 of 2	27/04/2009
7587-PA-09	D	Grading Plan Sheet 2 of 2	27/04/2009
7587-PA-10	D	Road Longitudinal Sections Sheet 1 of 2	27/04/2009
7587-PA-11	D	Road Longitudinal Sections Sheet 2 of 2	27/04/2009
7587-PA-12	D	Typical Road Cross Sections & Pavement Design	27/04/2009
7587-PA-13	D	Existing Catchment Plan	27/04/2009
7587-PA-14	D	Overall Stormwater Drainage Plan	27/04/2009
7587-PA-15	A	Stormwater Drainage Plan, Child Care Centre	28/04/2009
7587-PA-16	A	Stormwater Drainage Plan, Central Facilities	28/04/2009
7587-PA-17	A	Stormwater Drainage Plan, Village Green and Town Centre	28/04/2009
7587-PA-18	D	Stormwater Drainage Plan, Basin Plan & Typical Sections	27/04/2009
7587-PA-19	D	Stormwater Drainage Plan, Raingarden Plan & Typical Sections	27/04/2009
7587-PA-20	D	Stormwater Drainage Plan, Swale Plan & Typical Details	27/04/2009
7587-PA-21	D	Mobbs Lane External Works Plan Sheet 1 of 5	27/04/2009
7587-PA-22	D	Mobbs Lane External Works Plan Sheet 2 of 5	27/04/2009
7587-PA-23	D	Mobbs Lane External Works Plan Sheet 3 of 5	27/04/2009
7587-PA-24	D	Mobbs Lane External Works Plan Sheet 4 of 5	27/04/2009
7587-PA-25	D	Mobbs Lane External Works Plan Sheet 5 of 5	27/04/2009
7587-PA-26	D	Sediment & Erosion Control Plan	27/04/2009
7587-PA-27	D	Sediment & Erosion Control Details	27/04/2009
7587-PA-28	D	Servicing Plan Sheet 1 of 2	27/04/2009
7587-PA-29	D	Servicing Plan Sheet 2 of 2	27/04/2009
ESK01	D	Electrical and Communication Site Infrastructure	27/04/2009
ESK02	D	Electrical and Communication Site Infrastructure	27/04/2009
5499-C	D	Sheet 5 of 5 – Lead – In Sewer Main Works Outside the Site	27/04/2009
Early Works Landscape Package prepared for the Environmental Assessment / Preferred Project Report by ASPECT Studios			
Drawing No.	Revision	Name of Plan	Date
EW-PA01	01	Site Context + Landscape Master Plan	22/04/2009
EW-PA02	01	Site Analysis	22/04/2009
EW-PA03	01	Open Space Diagram	22/04/2009
EW-PA04	01	Early Works Plan of Management	22/04/2009

EW-PA05	01	Tree Removal Plan	22/04/2009
EW-PA06	01	Tree Master Plan	22/04/2009
EW-PA07	01	Early Works Master Plan 01	22/04/2009
EW-PA08	01	Early Works Master Plan 02	22/04/2009
EW-PA09	01	Early Works Master Plan 03	22/04/2009
EW-PA10	01	Village Green + Town Square – Detail Plan	22/04/2009
EW-PA11	01	Village Green + Town Square – Sections + Indicative Planting	22/04/2009
EW-PA12	01	Central Resident's Facility – Detail Plan	22/04/2009
EW-PA13	01	Central Resident's Facility - Sections + Indicative Planting	22/04/2009
EW-PA14	01	Child Care + Detention Basin – Detail Plan	22/04/2009
EW-PA15	01	Child Care + Detention Basin – Sections + Indicative Planting	22/04/2009
EW-PA16	01	Children's Playground - Detail Plan, Section + Indicative Planting	22/04/2009
EW-PA17	01	Parkland Spine – Detail Plan	22/04/2009
EW-PA18	01	Street Sections 01	22/04/2009
EW-PA19	01	Street Sections 02	22/04/2009
EW-PA20	01	Site Sections	22/04/2009
Subdivision Plans prepared for the Environmental Assessment by Peter Vandergraaf			
Drawing No.	Revision	Name of Plan	Date
F684-DP2-001	2	Sheet 1 of 2	24/04/2009
F684-DP2-002	2	Sheet 2 of 2	24/04/2009
F684-DP2-002a	2	Sheet 2 of 2	24/04/2009
F684-DP3-003a	1	Sheet 1 of 4	28/04/2009
F684-DP3-001a	1	Sheet 2 of 4	28/04/2009
F684-DP3-004a	1	Sheet 3 of 4	28/04/2009
F684-DP3-005a	1	Sheet 4 of 4	28/04/2009

except for:

- (1) any modifications which are 'Exempt and Complying Development' as identified in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 or as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; and
- (2) otherwise provided by the conditions of this approval.

A3 Inconsistency between documents

In the event of any inconsistency between conditions of this approval and the drawings / documents referred to above, including the Proponent's Statement of Commitments, the conditions of this approval prevail.

A4 Prescribed Conditions

The Proponent shall comply with the prescribed conditions of approval under Clause 98 of the *Environmental Planning and Assessment Regulation 2000* in relation to the requirements of the *Building Code of Australia* (BCA).

A5 Construction Certificate

This Determination Notice does not constitute permission to begin works associated with the development. A Construction Certificate (where applicable) must be obtained prior to the commencement of any development works.

A6 Mediation

Where this approval requires further approval from Council or State Authorities, the parties shall not act unreasonably preventing an agreement from being reached. In the event that an agreement is unable to be reached within 2 months or a timeframe otherwise agreed to by the Director-General, the matter is to be referred to the Director-General for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate a resolution.

A7 Further Approvals

The following shall be the subject of separate Development Applications to Council under Part 4 of the Act (except where exempt and complying development applies):

- (a) Child care centre – the proposed child care centre is approved. The Proponent shall seek separate Approval for the future use of the child care centre to determine the hours of operation, number of children and compliance with the Children Services Regulations 2004.
- (b) A separate application must be made for a subdivision certificate. The application is to be accompanied by documentary evidence demonstrating compliance with all conditions of consent.

End of Section

PART B - PRIOR TO ISSUE OF A CONSTRUCTION CERTIFICATE

B1 *Design Modifications*

The design of the access to the child care centre from Mobbs Lane is to be further reviewed to improve the safety of vehicles travelling along Mobbs Lane and for vehicles entering and exiting the child care centre.

Details shall be submitted to and approved by the Director-General, in consultation with Council, RTA and STA, prior to the Construction Certificate being issued for these works.

B2 *Compliance with the Building Code of Australia (BCA)*

Details shall be provided to the satisfaction of the Certifying Authority, with the application for a Construction Certificate, which demonstrate that the proposal complies with the prescribed conditions of approval under Clause 98 of the *Environmental Planning and Assessment Regulation* in relation to the requirements of the *Building Code of Australia* (BCA).

B3 *Structural Details*

Prior to the issue of a Construction Certificate, the Proponent shall submit to the satisfaction of the Certifying Authority, structural drawings prepared and signed by a suitably qualified practising Structural Engineer that complies with:

- (a) the relevant clauses of the BCA,
- (b) the relevant development approval,
- (c) drawings and specifications comprising the Construction Certificate, and
- (d) the relevant Australian Standards listed in the BCA (Specification A1.3).

B4 *Commencement of Works*

Demolition, excavation, clearing, construction, subdivision or associated activities must not commence until a Construction Certificate has been issued for the proposed development pursuant to the *Environmental Planning and Assessment Act, 1979*.

B5 *Access and Facilities for Persons With Disabilities*

Access and facilities for people with disabilities shall be provided in accordance with Part D3 of the BCA's Access Policy. Prior to the issue of a Construction Certificate, a certificate certifying compliance with this condition from an appropriately qualified person shall be provided to the Certifying Authority.

B6 *Erosion and Sedimentation Control*

Soil erosion and sediment control measures shall be designed in accordance with the document *Managing Urban Stormwater – Soils & Construction Volume 1 (2004)* by *Landcom*. Details are to be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

B7 *Pre-Construction Dilapidation Reports*

The Proponent is to engage a qualified structural engineer to prepare a Pre-Construction Dilapidation Report detailing the current structural condition of all existing and adjoining buildings, infrastructure, roads and public domain areas within the zone of influence acceptable to the Principal Certifying Authority and agreed by the Structural Engineer. The report shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the Construction Certificate.

A copy of the report is to be forwarded to the Department and Council.

B8 Subsurface Drainage

Subsurface drainage systems shall be provided for all road formations, cuttings, and the base and sub base of pavement layers and throughout the entire base of the new public park. Detailed plans and construction specifications for the subsurface drainage systems shall be prepared and certified as complying with Council's specifications prior to the issue of a Construction Certificate. The plans shall include as a minimum the following information:

- (a) The proposed location of all subsoil drains and sub-pavement drains, including the nominal width and depth of trenches, pipe diameters and materials, longitudinal design grades, and the locations of outlets and cleanouts;
- (b) The location of public utility services shall also be included on the plans and cross sectional drawings;
- (c) Specifications for the construction of all components of the system; and
- (d) All assumptions and/or calculations made in the determination of the need or otherwise for subsurface drainage in special circumstances shall be submitted to Council for approval with the documentation.

B9 Civil Works and Services

Low voltage electricity and telecommunications services for the approved development shall be reticulated underground.

Prior to the issue of any Construction Certificate for the approved development it is necessary to obtain the separate approval of Council pursuant to the Roads Act 1993 for any civil works on existing public roads. The application for this Approval is to include detailed design plans and specifications prepared by a Chartered Professional Engineer.

B10 Construction Certificate for Civil Works

Prior to the commencement of any road, drainage and infrastructure work within the parts of the site, a Construction Certificate is to be obtained from Council or an Accredited Certifier and submitted to the PCA.

B11 Street Lighting

A detailed plan, prepared by a suitably qualified lighting engineer must be submitted to and approved by Council prior to relevant construction certificate being issued.

Lighting designs, supported by luminance calculations and illuminance plots, are to be prepared by a suitably qualified lighting engineer and submitted to Council or an Accredited Certifier for approval. All lighting is to be of a high standard and be compatible with electricity providers requirements.

Lighting for any privately owned / publicly accessible areas should be compatible with that required for the public areas. Lighting designs, supported by luminance calculations and illuminance plots, are to be prepared by a qualified lighting engineer and submitted to Council for approval.

B12 Alignment Levels

- (a) Prior to the issue of the relevant Construction Certificate, alignment level plans must be submitted to Council showing the levels at the interface of the proposed roadworks and the existing public road, Mobbs Lane. These levels are to be approved by Council prior to these works commencing.
- (b) These alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the application for relevant Construction Certificate, excluding a Construction Certificate for approved preparatory, demolition or shoring work.

B13 Mechanical Ventilation

- (a) The premises must be ventilated in accordance with the Building Code of Australia and AS1668.1-1998 and AS1668.2-1991.
- (b) Details of any mechanical ventilation and/or air conditioning system complying with AS1668.1-1998 and AS1668.2-1991, the Building Code of Australia and relevant Australian Standards must be prepared by a suitably qualified person certified and certified in accordance with Clause A2.2(a)(iii) of the Building Code of Australia, to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.
- (c) Prior to issue of an Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A2.2(a)(iii) of the Building Code of Australia, must be submitted to the Principal Certifying Authority.

B14 Electricity Substation

If required by the applicable energy supplier, the owner must create the appropriate property rights to the applicable energy supplier, free of cost, an area of land within the development site. The size and location of the substation shall be submitted for the approval of the Accredited Certifier and Integral Energy prior to installation.

B15 Photographic Record / Dilapidation Report – Public Domain

Prior to a Construction Certificate being issued, a photographic recording of the public domain areas adjacent to the site is to be prepared and submitted to Council's satisfaction.

The recording must include clear images of the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street.

The form of the recording is to be as follows:

- (a) A pdf format report containing all images at a scale that clearly demonstrates the existing site conditions;
- (b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage;
- (c) Each image is to be numbered and cross referenced to a site location plan;
- (d) A summary report, prepared by a suitably qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record;
- (e) Include written confirmation, issued with the authority of both the applicant and the photographer that the Council is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

B16 Water Ratings

All water fixtures installed within the premises are to have a AAA water rating or more. The Proponent shall submit to the Certifying Authority a statement demonstrating compliance with the requirements of this condition.

B17 Sydney Water

Prior to the issue of a Construction Certificate (excluding any construction certificate for demolition works), a Notice of Requirements under Part 6, Division 9 of the Sydney Water Act 1994 shall be obtained and a copy must be submitted to the Certifying Authority (Council or a private accredited certifier).

B18 Compliance Report

Prior to the issue of a Construction Certificate, the Proponent, or any party acting upon this approval, shall submit to the Private Certifying Authority a report addressing compliance with all relevant conditions of this Part.

B19 Excavation Works

If an excavation associated with the erection or demolition of a building extend below the level of the base of the footings of a building on an adjoining allotment of land; the person causing the excavation to be made; must preserve and protect the building from damage; and if necessary, must underpin and support the building in an approved manner. At least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished and submit to the Principal Certifying Authority details of the date and manner by which the adjoining owner(s) were advised.

B20 Stormwater and Drainage Works

The following details are to be submitted to Council for approval demonstrating compliance with Council's requirements (Local Floodplain Risk Management Policy; Stormwater Design and Development Guidelines; and Local Development Control Plan (DCP)), prior to a Construction Certificate being issued for the commencement of stormwater drainage works:

- (a) Details of the proposed on-site stormwater drainage system.
- (b) All hydrological and hydraulic modelling and design up to and including the peak 1 in 100yr ARI events for the pre and post development. All modelling and design needs to address the adequate and safe movement of overland flow from the total catchment without any adverse impact to this site and to downstream properties.
- (c) Details demonstrating that the proposed development does not adversely impact on downstream properties.
- (d) Details demonstrating adequate compliance with Council's On-Site Detention requirements.
- (e) Detailed calculations indicating parameters used in the design of the wetlands, detention basin, raingardens, grass swale and GPTs. All stormwater site discharge needs to comply with Council's water quality requirements.
- (f) An electronic copy of the XP Rafts, MUSIC, DRAINS models to be submitted to Council for review.
- (g) Detailed overland flow calculations and design finished surface levels providing evidence that proposed roads, swales and paths have been designed with adequate capacity to convey flows and comply with appropriate safe velocity depth requirements for all storms events up to and including the peak 1 in 100 year ARI flows without any adverse impact to vehicular and pedestrian traffic.
- (h) Documented details showing that all proposed stormwater pipe drainage has been designed for the peak 1 in 20 year ARI design event. Details are to include hydraulic grade line analysis, longitudinal drainage pipe line sections showing pipe sizes, pipe types, invert levels, grades and minimum pipe cover including stormwater pit inlet types.
- (i) Evidence to Council that all the proposed location of the Childcare Centre adjacent to the wetland will meet all regulatory safety requirements during normal operation and during extreme storm events.
- (j) Details of proposed spill way down stream of Mobbs Lane is to be submitted to Council to ensure that overflow from the wetland is not creating any impact within Mobbs Lane and further areas downstream.

B21 *Landscape Plan*

An amended landscape plan is to be submitted to the Director-General, in consultation with Council, prior to the issue of a Construction Certificate for those works addressing:

- (a) Increased screening to be provided between the Mobbs Lane Reserve car parking and the child care centre.
- (b) The footpaths within the site are to be provided at a width of 1.2 metres and are to be designed to integrate into those provided in the Mobbs Lane Reserve. Should additional paths be required to integrate into the proposed paths, further discussion is to be held with Council.
- (c) The play equipment is to be maintained, designed and installed to Australian Standards.
- (d) The use of rubber or synthetic turf softfall under play equipment is to be used to reduce regular mulch maintenance and replacement costs.
- (e) The Golden Rain Tree species should be replaced with other non-invasive species.
- (f) The detention pond is to be fenced and the design of the area located around the pond is to incorporate accessible paths to the perimeter of the detention pond, plantings, decks, picnic facilities, seating walls and possible island (bird sanctuary) to the centre.
- (g) Bollards are to be provided to define the boundary of the site with Mobbs Lane Reserve.

End of Section

PART C - PRIOR TO ANY WORK COMMENCING

C1 *Traffic Control Plan*

Where works are to occur on existing public roads a Traffic Control plan is to be prepared. Such plans shall be prepared in strict compliance with the requirements of the current version of Australian Standard 1742.3 (Traffic Control Device for works on Roads) as well as the current version of the RTA Traffic Control at Work Site manual. Any person preparing such Traffic Control plans shall have the relevant RTA accreditation, which must be stated on the submitted plans.

The Traffic Control Plan is to be prepared and submitted to Council, in discussion with the RTA and STA, prior to the relevant works being undertaken.

C2 *Vehicle Cleansing*

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

C3 *Statement of Compliance with Australian Standards*

The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 *The Demolition of Structures*. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of works.

C4 *Signage*

A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

- (a) Stating that unauthorised entry to the work site is prohibited;
- (b) Showing the name of the principal contractor (or person in charge of the work site), and a telephone number at which that person may be contacted at any time for business purposes and outside working hours; and
- (c) Showing the name, address and telephone number of the Principal Certifying Authority for the work.
- (d) Showing the approved construction hours in accordance with this Approval.
- (e) Any such sign must be maintained while the excavation building work or demolition work is being carried out, but must be removed when the work has been completed.
- (f) This condition does not apply to building works being carried out inside an existing building.

C5 *Toilet Facilities*

Prior to work commencing, adequate toilet facilities are to be provided on the work site prior to any works being carried out.

C6 *Contact Telephone Number*

Prior to the commencement of the works, the Proponent shall forward to Council a 24 hour telephone number to be operated for the duration of the construction works.

C7 Security Fencing

The site must be enclosed with a 1.8 m high security fence to prohibit unauthorised access. The fence must be approved by the Principal Certifying Authority and be located wholly within the development site prior to commencement of any works or demolition on site.

C8 Inspection Prior to Demolition

Prior to demolition commencing, either the Principal Certifying Authority or Council's building surveyor must inspect the site. Should the building to be demolished be known or suspected by reason of the buildings age or otherwise to be found to be wholly or partly clad with bonded or friable asbestos material, approval to commence demolition will not be given until the PCA or Council is satisfied that appropriate measures are in place for the handling, storage, transport and disposal of the bonded or friable asbestos material. Should Council's building surveyor carry out the inspection, then prior to commencement of demolition an inspection fee is to be paid in accordance with Council's current fee schedule.

C9 Asbestos Removal

On demolition sites where buildings are known to contain bonded or friable asbestos material, a standard sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm is 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 NSW WorkCover Authority hotline or the website www.workcover.nsw.gov.au.

C10 Notice of Commencement of Demolition Work

A minimum of five (5) working days prior to any demolition work commencing a written notice is to be given to Parramatta City Council and all adjoining occupants. Such written notice is to include the date when demolition will be commenced and details of the principal contractors name, address, business hours contact telephone number, Council's after hours contact number and the appropriate NSW WorkCover Authority licence.

C11 Appointment of Principal Certifying Authority

Prior to commencement of work, the person having the benefit of the approval and a Construction Certificate 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 is appointed within 7 days; and
- (b) notify Council in writing of their intention to commence works (at least 2 days notice is required prior to the commencement of works).

The PCA must determine when inspections and compliance certificates are required.

C12 Road Opening Permit

- (a) Prior to commencement of any excavation work on council's road, nature strip or concrete footpath, a Road Opening Permit shall be obtained from council by lodging the application for a Road Opening Permit. Upon completion of the work, the road, the nature strip, and concrete footpath shall be reinstated to its original state to the satisfaction of Council.
- (b) The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on site.

C13 *Dilapidation Report of Adjoining Structures*

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

The report should include a photographic survey of adjoining properties within the zone of influence 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 as determined necessary by that qualified professional based on the excavations for the proposal and the recommendations of the geotechnical report. Where the consulting geotechnical engineer is of the opinion that no dilapidation reports for adjoining structures are required, certification to this effect shall be provided for approval by the Principal Certifying Authority prior to any excavation. A copy of the dilapidation report shall be submitted to Council.

In the event that access for undertaking the dilapidation survey is denied by an adjoining owner, the applicant must demonstrate in writing to the satisfaction of the Principal Certifying Authority that all reasonable steps have been taken to obtain access and advise the affected property owner of the reason for the survey and that these steps have failed.

Note: This documentation is for record keeping purposes only, and may be used by an applicant or affected property owner to assist in any action required 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.

C14 *Retaining Walls*

Structural details of the retaining walls supporting the soil between the proposed lots shall be prepared by a qualified structural engineer or geotechnical engineer, must be submitted to and approved by the Principal certifying Authority (PCA), prior to the issue of the commencement of works.

C15 *Photographic Evidence of Damage to Council Property*

Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Principal Certifying Authority (and Council if not the PCA) of documentary evidence including photographic evidence of any existing damage to Council's property. Immediately adjacent the proposed works. Council's property includes road, footpaths, kerbs, gutters and drainage pits.

C16 *Dial Before You Dig*

Prior to any excavation and or stump grinding 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 received written confirmation from NDBYD that the proposed excavation will not conflict with any underground utility services. The person/s having benefit of this consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

C17 *Excavation Below Footings*

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 approval must, at the persons own expense:

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

Note: If the person with the benefit of the Approval 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.

C18 *Erosion and Sediment Control*

Erosion and sediment control devices are to be installed, as necessary, prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary.

C19 *Tree Protection as per Arborists Report*

A Tree Restoration Plan is to be prepared in accordance with the 'Best Practice Guidelines: Sydney Turpentine Ironbark Forest' (DECC 2009). Details are to be submitted to the Accredited Certifier for approval prior to commencement of works in the vicinity of the restoration area in accordance with the recommendations of Anne Clements and Associates report dated 2 July 2010.

The trees identified on the endorsed plans as being retained shall be protected prior to and throughout the demolition / excavation / construction process in accordance with the arborist report submitted with the EA / PPR (including the preparation of a Bush Regeneration Restoration Plan) and the relevant conditions of this Approval.

C20 *Protective Fencing*

Retained trees or treed areas shall be fenced with a 1.8 metre high chainwire link or welded mesh fence, fully supported at grade, to minimise the disturbance to existing ground conditions within the canopy drip line or a setback as specified on the approved landscaping plan for the duration of the construction works. "Tree Protection Zone" signage is to be attached to protective fencing.

C21 *Sydney Water*

The approved plans must be submitted to a Sydney Water Quick Check agent or Customer Centre to determine whether the development will affect Sydney Water's sewer and water mains, storm water drains and/or easements, and if further requirements need to be met. Plans will be appropriately stamped. For Quick Check agent details please refer to the web site www.sydneywater.com.au see Your Business then Building and Developing then Building and Renovating or telephone 13 20 92. The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to works commencing on site.

C22 *Parking Spaces*

Parking spaces (including disabled parking spaces) are to be permanently marked on the pavement and used accordingly. The dimensions for parking spaces and aisle width to be in accordance with AS 2890.1-2004 (2.4m wide x 5.4m long clear of columns plus 300mm clearance adjacent walls & 6.2m aisle width minimum).

C23 *Disabled Parking Spaces*

The dimensions and configuration of the disabled parking spaces to be in accordance with Figures 2.2 or 2.3 of AS 2890.6-2009 (a dedicated space plus a shared space with a bollard - 2.4m wide x 5.4m long each).

C24 *Road Improvement Works*

The road improvement works east of the proposed western site entrance (opposite the Brickworks site) to be fully constructed prior to the release of the Final Occupation Certificate for the first stage of residential development (i.e. Stage 1 Residential).

All remaining road improvement works (including the western site access intersection) are to be fully constructed prior to the release of the Final Occupation Certificate for the final stage of residential development.

C25 *Separate Entry and Exit Driveway*

A separate entry and exit driveway (6 metres wide with 300mm clearance both sides between kerbs) to be provided and constructed according to AS 2890.1- 2004 and Council's specification.

C26 *Driveway and Ramp Gradients*

Driveway and ramp gradients shall comply with Clause 2.5, Clause 2.6 and Clause 3.3 of AS2890.1-2004.

C27 *Driveway Width*

The driveway width (w) at the concrete layback shall comply with Council's Standard Vehicular Crossing plan (DS8) and Heavy Duty Vehicular Crossing plan (DS9).

C28 *Traffic Calming Measures*

Traffic facilities to be installed, such as; wheel stops, bollards, kerbs, signposting, pavement markings, lighting and speed humps, shall comply with AS2890.1-2004.

C29 *Sight Distance Requirements*

Sight distance to pedestrians exiting the property shall be provided by clear lines of sight in 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. The required sight lines to pedestrians or other vehicles in or around the site should not be compromised by the landscaping, signage fences, walls or display materials.

C30 *Road Occupancy Permit*

Footpath or road construction and/or restoration during construction of the development shall require a Road Occupancy Permit from Council. The applicant shall submit an application for a Road Occupancy Permit a Road Opening Permit through Council, prior to carrying out the construction/restoration works.

C31 *Bus Stop Locations*

New bus stop locations and relocations of bus stops to be discussed with the appropriate bus operators in consultation with Council.

C32 *Bus Shelters*

Prior to construction, discussion is to be held with Council in relation to the new bus shelters.

C33 *Work within Adjoining Public Land*

The applicant shall not enter or undertake any work within adjoining public lands (i.e. parks, reserves, roads etc) without the prior written consent of Council. In this regard the applicant is to liaise with Council prior to the commencement of any design works or preparation of a Construction Management Plan.

C34 Road Verge to be Maintained

Prior to commencement of works and during construction works, the development site and any road verge immediately in front of the site are to be maintained in a safe and tidy manner. In this regards the following is to be undertaken:

- all existing buildings are to be secured and maintained to prevent unauthorised access and vandalism
- all site boundaries are to be secured and maintained to prevent unauthorised access to the site
- all general refuse and/or litter (inclusive of any uncollected mail/advertising material) is to be removed from the site on a fortnightly basis
- the site is to be maintained clear of weeds
- all grassed areas are to be mown on a monthly basis

C35 Barricade Permit

Where construction/building works require the use of a public place including a road or footpath, approval under Section 138 of the Roads Act 1993 for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

C36 Hazardous Waste

Prior to the exportation of waste (including fill or soil) from the site the material should be classified in accordance with the provisions of the *Protection of the Environment Operations Act 1997* and the NSW DECC *Waste Classification Guidelines, Part1: Classifying Waste (April 2008)*. The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporter if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

C37 Commencement

The erection of a building / subdivision works in accordance with this Approval must not be commenced until:

- (a) Detailed plans and specifications have been endorsed with a Construction Certificate (by the consent authority or an accredited certifier), and
- (b) The person having benefit of the Approval has appointed a 'principal certifying authority' (PCA), and has notified the consent authority and the Council (if Council is not the consent authority) of the appointment, and
- (c) The person having benefit of the Approval has given at least 2 days notice to the Council of their intention to commence the development works the subject of this consent.

C38 Statement of Compliance with Australian Standards

The demolition work shall comply with the provisions of Australian Standard AS2601: 2001 *The Demolition of Structures*. The work plans required by AS2601: 2001 shall be accompanied by a written statement from a suitably qualified person that the proposals contained in the work plan comply with the safety requirements of the Standard. The work plans and the statement of compliance shall be submitted to the satisfaction of the PCA prior to the commencement of works.

C39 Notice to be Given Prior to Excavation

The PCA and Council shall be given written notice, at least 48 hours prior to the commencement of excavation, shoring or underpinning works on the site.

C40 RTA Requirements

- (a) The proposed signals at the intersection of Marsden Road / Mobbs Lane shall be fully constructed and operational prior to the release of any Occupation Certificates by the Certifying Authority for part of the development that exceeds 150 dwellings with a child care centre or 225 dwellings without a child care centre.

Certified copies of the civil / traffic signal design plans at the Marsden Road / Mobbs Lane intersection shall be submitted to the RTA for consideration and approval prior to the release of the Construction Certificate by the Certifying Authority for any part of the development that exceeds 150 dwellings with a child care centre or 225 dwellings without a child care centre and commencement of road / signal works.

The developer must pay the full 10 year traffic signal operation maintenance cost.

- (b) The proposed upgrade to the signalised intersection Mobbs Lane / Midson Road shall be completed and fully operational prior to the release of the Occupation Certificates by the Certifying Authority for both the Early Works Package or Stage 1 Residential Development, whichever is completed earlier.

Certified copies of the civil / traffic signal design plans at the Mobbs Lane / Midson Road intersection shall be submitted to the RTA for consideration and approval prior to the release of any Construction Certificate by the Certifying Authority and commencement of road / signal works for both the Early Works Project and Stage 1 Residential.

- (c) For both the traffic signal upgrade of Marsden Road / Mobbs Lane intersection and reconfiguration works at the signalised intersection of Mobbs Lane / Midson Road, the RTA fees for administration, plan checking, civil / signal works inspections and project management shall be paid by the developer prior to commencement of those works.

The developer may be required to enter into a Works Authorisation Deed (WAD) for the works. If required, please note that the WAD will need to be executed prior to the RTA's assessment of the detailed civil design plans.

- (d) Works along Mobbs Lane shall be designed and constructed to relevant guidelines and standards. The timing of the works shall not compromise the objectives of the treatment, particularly in relation to road safety.
- (e) The entry driveway for the child care centre is to be amended to comply with AS2890.1. Should this not be achieved, details are to be submitted to the satisfaction of Council.
- (f) Truck routes on local roads shall be to the satisfaction of Council.
- (g) All vehicles shall enter and exit any of the proposed access on Mobbs Lane in a forward direction. Swept path analysis of the largest vehicle entering and exiting the child care centre and residential site accesses in a forward direction shall be provided to the satisfaction of Council.
- (h) All vehicles entering any of the proposed entry accesses on Mobbs Lane are to be clear from the edge of the carriageway and footpath before being required to stop.
- (i) A Demolition and Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to the Accredited Certifier for approval, prior to the issue of the commencement of works Construction Certificate, with a copy to be forwarded to the Department.
- (j) All works / regulatory signposting associated with the proposed development are to be at no cost to the RTA.

- (k) The developer shall be responsible for all public utility adjustments / relocation works, necessitated by the above work and as required by the various public utility authorities and / or their agents.
- (l) As part of the detailed design that the interface between new pavement and existing pavement is not to be in the wheel tracks of vehicles.
- (m) The pedestrian crossing across the northern Marsden Road (leg) is not to be installed up front. However, the ducting, wiring, etc is done to facilitate future installation when required.
- (n) The proposed right turn bar from Marsden Road into Mobbs Lane should have the chevron linemarked area deleted in order to maximise the storage of this right turn bay.
- (o) As the narrowing of the footway along the western side of Marsden Road may somewhat restrict sight distances for vehicles leaving these properties, it is recommended that a "Driveways Ahead" sign be installed along Marsden Road for northbound traffic prior to the Illarangi Street intersection.
- (p) If the property at No 278 Marsden Road is still a vacant lot when the traffic signal / civil works occur at the Marsden Road / Mobbs Lane intersection, then the existing driveway crossing for this property should be relocated to the northern side of this lot when the SA kerb is reconstructed.

C41 STA Requirements

The proposed signals and works along Mobbs Lane are to be designed to enable the use by Sydney Buses. Further details are to be submitted to the STA prior to approval of the construction by the RTA.

End of Section

PART D – DURING WORKS

D1 Hours of Work

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

Note – Council may allow extended work hours for properties located on land affected by Parramatta City Centre LEP 2007 in limited circumstances and upon written application and approval being given by Parramatta City Council at least 30 days in advance.

Such circumstances where extended hours may be permitted include:

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

D2 Approved Plans on Site

A copy of this Approval, stamped plans and accompanying documentation is to be retained for reference with the approved plans on-site during the course of any works. Appropriate builders, contractors or sub-contractors shall be furnished with a copy of the notice of determination and accompanying documentation.

D3 Noise Impacts

Noise from the construction, excavation and/or demolition activities associated with the development shall comply with the NSW Department of Environment and Conservation's Environmental Noise Manual and the Protection of the Environment Operations Act 1997.

Noise emissions and vibration must be minimised and work is to be carried out in accordance with Department of Environment and Conservation guidelines for noise emissions from construction/demolition and earth works which are to comply with the provisions of the Protection of the Environment Operations Act 1997.

D4 Cost of Works on Council's Property

The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

D5 Dust Control Measures

Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction in accordance with the requirements of the NSW Department of Environment and Conservation (DEC). Dust nuisance to surrounding properties should be minimised.

D6 Materials to be Kept On-Site

No building materials skip bins, concrete pumps, cranes, machinery, signs or vehicles used in or resulting from the construction, excavation or demolition relating to the development shall be stored or placed on Council's footpath, nature strip or roadway.

D7 *Plant and Equipment to be Kept On-Site*

All plant and equipment used in the construction of the development, including concrete pumps, wagons, lifts, mobile cranes, etc, shall be situated within the boundaries of the site and so placed that all concrete slurry, water, debris and the like shall be discharged onto the building site, and is to be contained within the site boundaries.

D8 *Complaints Register*

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

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

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

D9 *Handling of Asbestos Material*

All bonded and friable asbestos waste material on-site shall be handled and disposed off-site at a Department of Environment and Climate Change licensed waste facility by an DECC licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 1996 and the EPA publication Assessment, Classification and Management of Liquid and Non-Liquid Wastes 1999 and any other regulatory instrument as amended.

Demolition works involving the removal, repair, disturbance and disposal of a total surface area (not floor area) of 200 square metres or more of bonded asbestos material must only be undertaken by contractors who hold the appropriate NSW WorkCover Authority licence(s) and approvals.

The contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the Department of Environment and Climate Change (DECC) licensed waste facility for bonded or friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

D10 *Waste Data File*

A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. The proponent may be required to produce these documents to Council on request during the site works.

D11 *Survey Certificate*

A survey certificate is to be submitted to the Principal certifying Authority at footing and/or formwork stage. The certificate shall indicate the location of the building in relation to all boundaries, and shall confirm the floor level prior to any further work proceeding on the building.

D12 Demolition Activities

Demolition work shall be carried out in accordance with Australian Standard 2601-2001 - Demolition of Structures and the requirements of the NSW WorkCover Authority.

D13 Services to be Provided Underground

All services associated with the development are to be located underground and works associated with this are to be fully born by the Proponent, within the development and along all street frontages for the length of the development.

D14 Damage to Council Assets

Any damage to Council assets that impact on public safety during construction is to be rectified immediately to the satisfaction of Council at the cost of the developer.

D15 Trees on Public Property

No trees on public property (footpaths, roads, reserves, etc.) unless specifically approved in the approval shall be removed or damaged during the works including the erection of any fences, hoardings or other temporary works.

D16 Material Storage and Trees

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

D17 Loading and Unloading During Works

The following requirements apply:

- (a) All loading and unloading associated with construction must be accommodated on site.
- (b) A Works Zone is required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (c) The structural design of the building must permit the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.
- (d) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (e) In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.

D18 Covering of Loads

All vehicles involved in the excavation and / or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

D19 No Obstruction of Public Way

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

D20 Erosion and Sediment Control

The Soil and Water Management Plan (SWMP) or Erosion and Sediment Control Plan (ESCP) which has been approved by the Principal Certifying Authority must be implemented in full during the construction period.

During the construction period;

- (a) erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;
- (b) erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of construction; and (c) building operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

D21 Disposal of Seepage and Stormwater

Any seepage or rainwater collected on-site during construction shall not be pumped to the street stormwater system unless separate prior approval is given in writing by Council.

D22 Site Notice

A site notice(s) shall be prominently displayed at the boundaries of the site for the purposes of informing the public of project details including, but not limited to the details of the Builder, Principal Certifying Authority and Structural Engineer. The notice(s) is to satisfy all but not be limited to, the following requirements:

- (a) Minimum dimensions of the notice are to measure 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size;
- (b) The notice is to be durable and weatherproof and is to be displayed throughout the works period;
- (c) The approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice; and
- (d) The notice(s) is to be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted.

D23 Contact Telephone Number

The Proponent shall ensure that the 24 hour contact telephone number is continually attended by a person with authority over the works for the duration of the development.

D24 External Lighting

External Lighting shall comply with AS4282: 1997 *Control of the Obtrusive Effects of Outdoor Lighting*. Upon installation of lighting, but before it is finally commissioned, the Proponent shall submit to the approval authority evidence from an independent qualified practitioner demonstrating compliance in accordance with this condition.

D25 Protection of Trees – Street Trees

All street trees shall be protected at all times during construction. Any tree on the footpath, which is damaged or removed during construction, shall be replaced, to the satisfaction of Council.

D26 Protection of Trees – On-site Trees

All trees on the site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.

D27 Impact of Below Ground (Sub-surface) Works – Non-Aboriginal Objects

If any archaeological relics are uncovered during the course of the work, then all works shall cease immediately in that area and the NSW Heritage Office contacted. Depending on the possible significance of the relics, an archaeological assessment and an excavation permit under the NSW *Heritage Act 1977* may be required before further works can continue in that area.

D28 Impact of Below Ground (Sub-surface) Works – Aboriginal Objects

If any Aboriginal archaeological objects are exposed during construction works, the Proponent shall immediately notify the National Parks and Wildlife Service and obtain any necessary approvals to continue the work. The Proponent shall comply with any request made by the NPWS to cease work for the purposes of archaeological recording.

D29 Recycling of Concrete

Any existing concrete of suitable volume, which is not used as fill, shall be taken to a concrete recycling works and evidence that this has occurred shall be provided to the PCA.

D30 Compliance Report

The Proponent, or any party acting upon this approval, shall, for the duration of construction period, submit to the Department a three monthly report addressing compliance with all relevant conditions of this Part.

D31 Vehicular Crossing

All new vehicular crossings are to be constructed in accordance with Council's specifications.

D32 Removal of redundant crossings

The proponent shall remove all redundant crossings together with any necessary reinstatement of the footpath, nature strip, kerb and gutter. Such work shall be carried out in accordance with Council's specification.

D33 Construction of Kerb & Gutter

The Proponent shall construct new kerb and gutter and associated roadwork/pavement as shown on the Worley Parson's drawings, unless otherwise determined by Council in accordance with Council's specification for the full frontage of the development

D34 Remediation of Land

Following the completion of remediation works on the site, a Remediation and Validation Report is to be prepared in accordance with the requirements of State Environmental Planning Policy 55 – Remediation of Land and the Environmental Protection Agency NSW Guidelines to certify that the land is suitable for the proposed uses following the required decontamination works.

This Report is to be submitted to the satisfaction of the Director-General prior to occupation of the site for the intended uses.

End of Section

PART E - PRIOR TO ISSUE OF A OCCUPATION CERTIFICATE / SUBDIVISION CERTIFICATE

E1 On-Site Detention Systems

Provision of On-Site Detention Systems within the proposed lots for any future developments. In this regard, a Positive Covenant and a Restriction on the use of land shall be created on the property title under the provision of the Conveyancing Act 1919, to ensure that the required on-site detention system will be installed in the proposed lots, during the development of the vacant blocks and adequately maintained. A copy of the typical covenant may be obtained from the Council. Proof of registration shall be submitted to the Principal Certifying Authority prior to occupation of the development.

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

E2 Section 73 Compliance Certificate

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

Following application a "Notice of Requirements" will detail water and sewer extensions to be built and charges to be paid. Please make early contact with the coordinator, since building of water/sewer extensions can be timed consuming and may impact on other services and building, driveway or landscape design. The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the release of the plan of subdivision.

E3 Registration of Easements

Prior to the issue of any Occupation Certificate / Subdivision Certificate, the Proponent shall provide to the PCA evidence that all easements required by this approval, approvals, and other consents have been or will be registered on the certificates of title.

E4 Publicly Accessible Open Space and Internal Roads

Prior to the issue of any Occupation Certificate / Subdivision Certificate, rights of way, easements and positive covenants must be created over the publicly accessible open space and the internal roads to provide and maintain public access, pursuant to Section 88B of the *Conveyancing Act 1919*.

E5 Compliance Report

The subdivision certificate will not be issued until documentary evidence of compliance with the entire Approval has been submitted to Council.

E6 Linen Plan

The Linen plan of subdivision shall conform with the Approval and all relevant conditions there under.

E7 Letter from Telecommunications Company

The developer shall submit to the Principal Certifying Authority a letter from the telecommunications company confirming that satisfactory arrangements have been made for the provision of telephone and cable television services, prior to the release of the Subdivision Certificate.

E8 *Integral Energy Notice*

A Notification Agreement outlining the electrical construction requirements and associated fees shall be obtained from Integral Energy prior to the release of the linen plans.

E9 *Street Numbering*

An application for street numbering shall be lodged with Council for approval, prior to the issue of a Subdivision Certificate.

E10 *Certifying Authority to Arrange Qualified Landscape Architect*

The Certifying Authority shall arrange for a qualified Landscape Architect / Designer to inspect the completed landscape works to certify adherence to the Approval conditions and Construction Certificate drawings. All landscape works are to be fully completed prior to the issue of an Occupation Certificate / Subdivision Certificate.

E11 *Post Construction Dilapidation Report*

The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings, infrastructure and roads. The report is to be submitted to the PCA. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

- compare the post-construction dilapidation report with the pre-construction dilapidation report, and
- have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.

A copy of this report is to be forwarded to Council.

E12 *Works as Executed Plans*

Works-As-Executed stormwater plans shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate, certifying that the stormwater drainage system has been constructed and completed in accordance with the approved stormwater plans. The person issuing the Occupation Certificate shall ensure that the following documentation is completed and submitted:

- The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate and variations are marked in red ink.
- The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- As built On-Site Detention (OSD) storage volume calculated in tabular form (depth verses volume table).
- OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
- Approved verses installed Drainage Design (OSD) Calculation Sheet.
- The original Work-As-Executed plans and all documents mentioned above have been submitted to Council's Development Services Unit.

E13 *Fire Safety Certificate*

A Fire Safety Certificate shall be furnished to the PCA for all the Essential Fire or Other Safety Measures forming part of this approval prior to issue of any Occupation Certificate. A copy of the Fire Safety certificate must be submitted to the approval authority and Council by the PCA.

E14 Structural Inspection Certificate

A Structural Inspection Certificate or a Compliance Certificate must be submitted to the satisfaction of the PCA prior to the issue of any Occupation Certificate and/or use of the premises. A copy of the Certificate with an electronic set of final drawings (contact approval authority for specific electronic format) shall be submitted to the approval authority and the Council after:

- (a) The site has been periodically inspected and the Certifier is satisfied that the Structural Works is deemed to comply with the final Design Drawings; and,
- (b) The drawings listed on the Inspection Certificate have been checked with those listed on the final Design Certificate/s.

E15 Waste and Recycling Collection Contract

Prior to an Occupation Certificate being issued and/or commencement of the use, whichever is earlier, of the building the owner must ensure that there is a contract with a licensed contractor for the removal of **all trade waste**. No garbage is to be placed on the public way e.g. footpaths, roadways, plazas, and reserves at any time.

E16 Road Damage

The cost of repairing any damage caused to Council or other Public Authority's assets in the vicinity of the subject site as a result of works associated with the approved development, is be met in full by the Proponent/developer prior to the issue of any Occupation Certificate.

Note: Should the cost of damage repair work not exceed the road maintenance bond, Council will automatically call up the bond to recover the costs. Should the repair costs exceed the bond amount, a separate invoice will be issued.

End of Section

PART F – POST OCCUPATION

G1 *Annual Fire Safety Statement*

An Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade commencing within 12 months after the date on which the approval authority initial Fire Safety Certificate is received.

G2 *Annual Fire Safety Certification*

The owner of the building shall certify to Council every year that the essential services installed in the building for the purpose of fire safety have been inspected and at the time of inspection are capable of operating to the required minimum standard. This purpose of this condition is to ensure that there is adequate safety of persons in the building in the event of fire and for the prevention of fire, the suppression of fire and the prevention of spread of fire.

G3 *Loading and Unloading*

All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times (and must not obstruct other properties/units or the public way).

G4 *Noise – Mechanical Plant and Equipment*

Noise associated with the use of mechanical plant and equipment must not give rise to any one or more of the following:

- (a) Transmission "*offensive noise*" as defined in the *Protection of the Environment Operations Act 1997* to any affected receiver.
- (b) A sound pressure level at the boundary of any affected receiver that exceeds the background ($L_{A90, 15\text{minutes}}$) noise level by more than 5dB. The background noise level must be measured in the absence of noise emitted from the use in accordance with Australian Standard AS1055.

G5 *Unobstructed Driveways and Parking Areas*

All driveways and parking areas shall be unobstructed at all times. Driveways and car spaces shall not be used for the manufacture, storage or display of goods, materials or any other equipment and shall be used solely for vehicular access and for the parking of vehicles associated with the use of the premises.

End of Section

ADVISORY NOTES

AN1 Sydney Water

An application shall be made to Sydney Water for a Certificate under Part 6, Division 9, Section 73 of the *Sydney Water Act, 1994* (Compliance Certificate). Evidence that a Compliance Certificate has been applied for (i.e. Notice of Requirements) shall be produced to the satisfaction of the PCA prior to the issue of a Construction Certificate. The Section 73 Certificate shall be submitted to the PCA prior to the occupation of the development or release of the linen plan.

AN2 Compliance Certificate, Water Supply Authority Act, 2000

Prior to issuing a subdivision certificate, a Compliance Certificate shall be provided to the approval authority showing that the development has met with the detailed requirements of the relevant water supply authority for the region that the subject site is located within.

The developer shall obtain the Compliance Certificate from the relevant local water supply authority and produce this to the satisfaction of:

- (a) the certifying authority before release of the Construction Certificate,
- (b) the approval authority before the release of the subdivision certificate, and
- (c) the principal certifying authority prior to occupation.

AN3 Requirements of Public Authorities for Connection to Services

The Proponent shall comply with the requirements of any public authorities (e.g. Energy Australia, Sydney Water, Telstra Australia, AGL, etc) in regard to the connection to, relocation and/or adjustment of the services affected by the construction of the proposed structure. Any costs in the relocation, adjustment or support of services shall be the responsibility of the Proponent. Details of compliance with the requirements of any relevant public authorities are to be submitted to the satisfaction of the PCA prior to the issue of the Construction Certificate.

AN4 Compliance with Building Code of Australia

The Proponent is advised to consult with the PCA about any modifications needed to comply with the BCA prior to submitting the application for a Construction Certificate.

AN5 Structural Capability for Existing Structures

The structural capabilities of an existing structure will need to meet the requirements of the BCA and may require engaging a structural engineer.

AN6 Application for Hoardings and Scaffolding

A separate application shall be made to Council for approval under State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007, to erect a hoarding or scaffolding in a public place. Such an application shall include:

- (a) Architectural, construction and structural details of the design.
- (b) Structural certification prepared and signed by a suitably qualified practising structural engineer.

The Proponent shall provide evidence of the issue of a Structural Works Inspection Certificate and structural certification shall be submitted to the satisfaction of the PCA prior to the commencement of works.

AN7 Use of Mobile Cranes

The Proponent shall obtain all necessary permits required for the use of mobile cranes on or surrounding the site, prior to the commencement of works. In particular, the following matters shall be complied with to the satisfaction of the PCA:

- (a) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on street use of mobile cranes, permits must be obtained from Council:
 - (a) at least 48 hours prior to the works for partial road closures which, in the opinion of Council will create minimal traffic disruptions, and
 - (b) at least 4 weeks prior to the works for full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (b) The use of mobile cranes must comply with the approved hours of construction and shall not be delivered to the site prior to 7.30am without the prior approval of Council.

AN8 Movement of Trucks Transporting Waste Material

The Proponent shall notify the Roads and Traffic Authority's Traffic Management Centre (TMC) of the truck route(s) to be followed by trucks transporting waste material from the site, prior to the commencement of the removal of any waste material from the site.

AN9 Construction Inspections

Compliance certificate/s shall be issued by the Principal Certifying Authority and submitted to Council in accordance with the mandatory inspection requirements of the *Building Legislation Amendment—Quality of Construction Act, 2002* for each stage of construction, such as the following:

- (a) Foundations,
- (b) Footings,
- (c) Damp proof courses and waterproofing installation,
- (d) Structural concrete, including placing of reinforcement and formwork prior to pouring,
- (e) Structural beam and column framing,
- (f) Timber wall and roof framing, and
- (g) Stormwater disposal.

Any Compliance Certificate issued for the above stages of construction shall certify that all relevant ancillary or dependent work has been undertaken in accordance with the Building Code of Australia and any other conditions of approval.

AN10 Excavation – Aboriginal Objects

Should any Aboriginal objects be unexpectedly discovered then all excavations or disturbance to the area is to stop immediately and the National Parks and Wildlife Service shall be informed in accordance with Section 91 of the *National Parks and Wildlife Act, 1974*.

AN11 Excavation – Historical Relics

Should any historical relics be unexpectedly discovered then all excavations or disturbance to the area is to stop immediately and the Heritage Council of NSW shall be informed in accordance with Section 146 of the *Heritage Act, 1977*.

AN12 Noise Generation

Any noise generated during the construction of the development shall not exceed the limits specified in any relevant noise management policy prepared pursuant to the *Protection of the Environment Operations Act 1997*, or exceed approved noise limits for the site.

AN13 Compliance with National Code for Construction and fit out of food premises

The Proponent shall obtain a certificate from a suitably qualified tradesperson, certifying that the kitchen, food storage and food preparation areas have been fitted in accordance with the *National Code for the Construction and Fitout of Food Premises*. The Proponent shall provide evidence of receipt of the certificate to the satisfaction of the PCA prior to the occupation of the building(s) or commencement of the use.

AN14 Stormwater drainage works or effluent systems

A construction certificate for works that involve any of the following:

- (a) water supply, sewerage and stormwater drainage work
- (b) management of waste

as defined by Section 68 of the Local Government Act, 1993 will not be issued until prior separate approval to do so has been granted by Council under Section 68 of that Act. Applications for these works must be submitted on Council's standard Section 68 application form accompanied by the required attachments and the prescribed fees.

AN15 Temporary Structures

An approval under State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007 must be obtained from the Council for the erection of the temporary structures. The application must be supported by a report detailing compliance with the provisions of the Building Code of Australia.

Structural certification from an appropriately qualified practicing structural engineer must be submitted to the Council with the application under State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007 to certify the structural adequacy of the design of the temporary structures.

AN16 Place of Public Entertainment

An approval from the Council under State Environmental Planning Policy (Temporary Structures and Places of Public Entertainment) 2007 must be obtained for a "Place of Public Entertainment Licence" prior to the use of the premises commencing. The Proponent shall provide evidence of receipt of the approval to the satisfaction of the PCA prior to the occupation of the building(s) or commencement of the use.

AN17 Disability Discrimination Act

This application has been assessed in accordance with the Environmental Planning and Assessment Act 1979. No guarantee is given that the proposal complies with the Disability Discrimination Act 1992. The Proponent/owner is responsible to ensure compliance with this and other anti-discrimination legislation. The Disability Discrimination Act 1992 covers disabilities not catered for in the minimum standards called up in the Building Code of Australia which references AS 1428.1 - Design for Access and Mobility. AS1428 Parts 2, 3 & 4 provides the most comprehensive technical guidance under the Disability Discrimination Act 1992 currently available in Australia.

AN18 Commonwealth Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth Environment Protection and Biodiversity Conservation Act 1999 provides that a person must not take an action which has, will have, or is likely to have a significant impact on a matter of national environmental significance (NES) matter; or Commonwealth land, without an approval from the Commonwealth Environment Minister.

This application has been assessed in accordance with the New South Wales Environmental Planning & Assessment Act, 1979. The determination of this assessment has not involved

any assessment of the application of the Commonwealth legislation. It is the Proponent's responsibility to consult Environment Australia to determine the need or otherwise for Commonwealth approval and you should not construe this grant of approval as notification to you that the Commonwealth Act does not have application. The Commonwealth Act may have application and you should obtain advice about this matter. There are severe penalties for non-compliance with the Commonwealth legislation.

AN19 Roads Act, 1993

A separate application shall be made to RTA for approval under Section 138 of the *Roads Act, 1993* to undertake any of the following:

- (a) erect a structure or carry out a work in, on or over a public road, or
- (b) dig up or disturb the surface of a public road, or
- (c) remove or interfere with a structure, work or tree on a public road, or
- (d) pump water into a public road from any land adjoining the road, or
- (e) connect a road (whether public or private) to a classified road.

AN20 Asbestos Removal

All excavation works involving the removal and disposal of asbestos must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with NOHSC: "Code of Practice for the Safe Removal of Asbestos".

AN21 Consolidation of Lots

Prior to occupation, the lots which form the subject site are to be consolidated and the Plan of Consolidation registered with the Land Titles Office. Evidence of the registration of the Consolidation shall be provided to the satisfaction of the Self-Certifying Authority.

AN22 Road Closure

A temporary road closure permit is to be obtained by Council/RTA prior to the closure of any roads.

End of Section

SCHEDULE 3

MP 08_0258

**PROJECT APPLICATION FOR EARLY WORKS
FORMER CHANNEL 7 SITE, 61 MOBBS LANE, EPPING**

STATEMENT OF COMMITMENTS

**(SOURCE: ENVIRONMENTAL ASSESSMENT / PREFERRED PROJECT
REPORT)**

Subject	Commitments	Approved by Whom
Flora	A restoration plan for a conservation area in the north-west of the site adjoining Mobbs Lane Reserve will be prepared in accordance with the recommendations made in the Flora Report prepared by Anne Clements & Associates dated 8 April 2009 prior to issue of a construction certificate for Stage 4 of the development. The plan will include the following: • clear aims to enhance, conserve and protect of the local native plants in the restoration area, as well as minimising risk to on site and adjoining bushland during and post construction; • objectives; • realistic targets; • regular monitoring; and • regular reporting including corrective action requests and reassessment of targets as required. The restoration plan works will be carried out by qualified bush regenerators under the supervision of an Environmental Manager with at least 5 years experience in the reconstruction of ecosystem / restoration of degraded sites.	Director General of Department of Planning
Drainage	The internal drainage network will be designed in accordance with Worley Parsons reports and plans at Annexure B and L of the Environmental Assessment report dated June 2009.	Minister for Planning
Fauna	The native trees in the forested areas along the western boundary of the subject site and along the section of the northern boundary that is adjacent to Grimes Lane will be retained where practical. The three hollow-bearing trees identified in the Fauna Report will be retained where possible. In the event that one or more of them needs to be removed, then a suitably-qualified and experienced ecologist will be engaged to decide on the numbers, locations and types of nest boxes placed on the site to compensate for the loss of tree hollows. Silt fences and sediment ponds will be appropriately placed around construction areas on the subject site to prevent runoff of sediment and nutrient-enriched waters into nearby drainage lines and bushland areas. The traps will be monitored during construction, ensuring that treated site runoff meets EPA guidelines.	Minister for Planning
Contamination	Removal of any contaminated items and soil from the site will be undertaken in accordance with the report prepared by CETEC at Annexure G of the Environmental Assessment report dated June 2009.	Minister for Planning
Environmental & Construction Management	Construction Management Plan documentation will be undertaken prior to construction certification for each relevant stage of the development in consultation with the construction contractors and the relevant approval authority.	Director General of Department of Planning

Traffic	The Mobbs Lane road improvement works will be undertaken as follows: • The road improvement works east of the proposed western site entrance (opposite the Brickworks site) are to be fully constructed prior to the release of the Final Occupation Certificate for the first stage of residential development (ie. Stage 1 Residential); and • All remaining road improvement works (including the western site access intersection) are to be fully constructed prior to the release of the Final Occupation Certificate for the final stage of residential development. The traffic signals upgrades (at Mobbs and Midson) and installation (at Mobbs and Marsden) will be undertaken and operational prior to the issue of the Occupation Certificate in accordance with the traffic report prepared by Halcrow at Annexure H of the Environmental Assessment report dated June 2009	Director General of Department of Planning
Indigenous Heritage	Aboriginal Heritage and Archaeological Investigation will be undertaken in accordance with the recommendations contained in the Epping Park Aboriginal Heritage Impact Assessment report prepared by Archaeological & Heritage Management Solutions at Annexure 3 of the Preferred Project Report dated April 2010.	Director General of Department of Planning