

Project Approval

Section 75J of the *Environmental Planning & Assessment Act 1979*

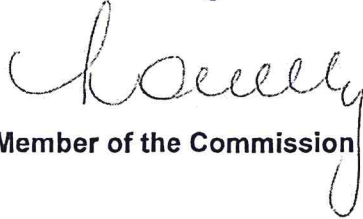
As delegate of the Minister for Planning and Infrastructure, under delegation dated 14 September 2011, we approve the project application referred to in schedule 1, subject to the conditions in schedules 2.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the project.



Member of the Commission



Member of the Commission

Member of the Commission

Sydney 28 October 2011

SCHEDULE 1

Application No.:	MP 09_0167
Proponent:	Crown International Holdings
Approval Authority:	Minister for Planning and Infrastructure
Land:	45 – 47 Macquarie Street and 134 – 140 Marsden Street, Parramatta.
Project:	26 Storey Mixed Use Development including: <ul style="list-style-type: none">• 367 residential apartments (115 x 1, 204 x 2 and 48 x 3 bedroom units)• 2,952m² of commercial floor space• 1,240m² of retail and restaurant floor space• 316m² Archaeological interpretation Centre• 6 levels of basement parking

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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 and Infrastructure or its successors.

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

Environmental Assessment (EA) means the Environmental Assessment prepared by BBC Consulting Planners and dated March 2010.

Minister means the Minister for Planning and Infrastructure.

MP No. 09_0167 means the Major Project described in the Proponent's Environmental Assessment/ Response to Submissions Report.

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

Proponent means Crown International Holding 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

PART A - ADMINISTRATIVE CONDITIONS

A1. Development Description

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

26 Storey Mixed Use Development including:

- 367 residential apartments (115 x 1, 204 x 2 and 48 x 3 bedroom units)
- 2,952m² of commercial floor space
- 1,240m² of retail and restaurant floor space
- 316m² Archaeological Interpretation Centre
- 6 levels of basement parking

A2. Approved plans stamped by the Department

The development will be undertaken generally in accordance with MP No. 09_0167 and the Environmental Assessment except where amended by the Preferred Project Report dated February 2011, prepared by JBA Planning, and the following drawings:

Drawing Reference

Drawing No.	Revision	Drawn By	Date
Level B1 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level B2 – B5 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level B6 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Ground Level Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 01 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 02 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 03 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 04 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 05 – 08 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Drawing No.	Revision	Drawn By	Date
Level 09 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 10 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 11 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 12 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 13 – 20 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 21 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 22 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 23 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 24 Floor Plan	-	Allen Jack & Cottier	4 July 2011
Level 25 Floor Plan	-	Allen Jack & Cottier	4 July 2011
West Elevation	-	Allen Jack & Cottier	4 July 2011
South Elevation	-	Allen Jack & Cottier	4 July 2011

North elevation	--	Allen Jack & Cottier	4 July 2011
East Elevation	-	Allen Jack & Cottier	4 July 2011
Section 1	-	Allen Jack & Cottier	4 July 2011
LANDSCAPE PLANS			
Drawing Number	Revision	Drawn By	Date
LA 01	P6	Taylor Brammer Landscape Architects	21 Sept 2011
LA 02	P5	Taylor Brammer Landscape Architects	21 Sept 2011
LA 03	P5	Taylor Brammer Landscape Architects	21 Sept 2011

except for:

- 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
- 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. Encroachment of works

No portion of the proposed structure including any fencing and/or gates shall encroach onto or over adjoining properties, including Council's footpath area.

A6. Building Code of Australia

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

A7. Demolition

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

A8. Service Ducting

Service ducts shall be provided within the building to keep external walls free of plumbing or any other utility installations. Such service ducts are to be concealed from view from the street

A9. Stormwater Management Code

Design of basement car park drainage is to be in accordance with Council's Stormwater Management Code.

A10. Nominated Heritage Manager

A specialist heritage manager or heritage consultant shall be nominated for the works which affect the archaeological heritage of the site. The consultant shall have appropriate qualifications and experience commensurate with the significance of the site and the scope of the Major Project works. The name and experience of this consultant shall be submitted to the Director, Heritage Branch, for approval prior to commencement of works. The heritage consultant shall advise on the detail design resolution of new works, undertake on site heritage inductions, and shall inspect new works, design and installation of services (to minimise impacts on significant fabric) and manage the implementation of the conditions of approval for the Project. A report by the heritage consultant (illustrated by works' photographs) shall be submitted to the Director, Heritage Branch, for approval within 6 months of the completion of the works which describes the work, any impacts/damage and corrective works carried out.

A11. Location specific sustainable travel plans

To encourage the use of non-car modes of transport for residents and visitors to the site, location specific sustainable travel plans, including Workplace Travel Plan and a Travel Access Guide are to be prepared and implemented.

A12. Metro Railway Tunnels

Prior to commencement of construction works, the Proponent/Developer must provide Sydney Metro with a copy of documents that illustrate that the design, construction and maintenance of the approved development allows for the future operations of metro railway tunnels in the vicinity of the approved development, especially in relation to noise, vibration, stray currents and electromagnetic fields.

A13. Construction Access

No Construction zone is permitted along Marsden Street.

A14. Archaeological Excavation Methodology

All affected areas within the site which are of historical archaeological significance and will be affected by the construction works are to be subject to professional archaeological excavation methodology that must be prepared in accordance with Heritage Council NSW guidelines for each site which is to be excavated. Those documents should be prepared for the approval of the Director, Heritage Branch prior to the release of any construction Certificate.

A15. Final Excavation Report

A copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the local Studies Library and the Local Historical Society in the Parramatta Local Government area. The proponent shall also nominate a repository for the relics salvaged from any further historical archaeological excavations. The information within the final excavation report shall be required to indicate the following:

- An executive summary of the archaeological programme;
- Due credit to the client paying for the excavation on the title page;
- An accurate site location plan (with scale and north arrow);
- Historical research, reference and bibliography;
- Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, sorting, cataloguing,

labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved;

- Nominated repository for the items;
- Detailed response to research questions (at minimum those stated in the Department of Planning approved Research Design);
- Conclusions from the archaeological programme;
- Details of how this information about the excavations has been publically disseminated (for example include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).

A16. Approval Time Limit

Approval of the Project Application shall lapse 5 years after the determination date shown above in this Instrument of Approval, unless the development has been physically commenced.

End of Section

PART B – PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

B1. Environmental Enforcement Service Charge

An Environmental Enforcement Service Charge is to be paid to Council prior to the issue of a construction certificate. The fee paid is to be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

B2. Infrastructure and Restoration Administration Fee

An Infrastructure and Restoration Administration Fee is to be paid to Council prior to the issue of a construction certificate. The fee to be paid is to be in accordance with Councils adopted 'Fees and Charges' at the time of payment.

B3. Electricity Supply

Documentary evidence confirming that satisfactory arrangements have been made with Integral Energy for the provision of electricity supplies to the developments is to be provided to the Principal certifying authority, prior to the issuing of any Construction certificates.

B4. Section 94A Contribution

A monetary contribution comprising \$1,500,000 is payable to Parramatta City Council pursuant to Section 94A of the *Environmental Planning and Assessment Act 1979* and the *Parramatta City Centre Civic Improvement Plan*. Payment must be by cash, EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a construction certificate.

B5. Section 34 Levy

The Construction Certificate is not to be released unless the Principle Certifying Authority is satisfied that the required levy payable, under Section 34 of the Building and Construction Industry Long Service Payments Act 1986, has been paid.

B6. Domestic Waste Collection

Prior to the issue of a construction certificate a further report including accompanying plans shall be submitted to the satisfaction of the Principal Certifying Authority that provides details of the private contractor that will be engaged to collect domestic waste from the site. If Council is not the principal certifying authority a copy of this report and accompanying plans is required to be provided to Council. This report shall identify the frequency of collection and provide details of how waste products including paper, aluminium cans, bottles etc, will be re-cycled. Waste collection from the site shall occur in accordance with the details contained within this report.

B7. Adjustments to Public Utilities

Should any proposed work be undertaken where it is likely to disturb or impact upon a public utility installation (eg power pole, Telstra pit etc) written confirmation from the affected utility provider (eg. Integral Energy / Telstra) that they have agreed to the proposed works shall be submitted to the Principal Certifying Authority, prior to the issue of the Construction Certificate or any works commencing, whichever comes first. The arrangements and costs associated with any adjustment to a public utility installation shall be borne in full by the applicant/developer.

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

Authority which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required, prior to the release of the Construction Certificate.

B8. Construction and Traffic Management Plan

Prior to the commencement of any works on the site the applicant must submit, a Construction and/or Traffic Management Plan to the satisfaction of the Principle Certifying Authority. The following matters must be specifically addressed in the Plan:

(a) Construction Management Plan for the Site

A plan view of the entire site and frontage roadways indicating:

- Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- The locations of proposed Work Zones in the egress frontage roadways,
- Location of any proposed crane standing areas,
- A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.

(b) Traffic Control Plan(s) for the site:

- All traffic control devices installed in the road reserve shall be in accordance with the Roads and Traffic Authority, NSW (RTA) publication '*Traffic Control Worksite Manual*' and be designed by a person licensed to do so (minimum RTA 'red card' qualification). The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
- Approval shall be obtained from Parramatta City Council for any temporary road closures or crane use from public property.
 - A) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided and a copy of this route is to be made available to all contractors.
 - a. Where applicable, the plan must address the following:
 - i. Evidence of RTA concurrence where construction access is provided directly or within 20 m of an Arterial Road,
 - ii. A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
 - iii. Minimising construction related traffic movements during school peak periods,

The Construction and Traffic Management Plan shall be prepared by a suitably qualified and experienced traffic consultant and be certified by this person as being in accordance with the requirements of the abovementioned documents and the requirements of this condition.

B9. Reconstruction and Extension of Driveway

Prior to the issue of a Construction Certificate, an application is required for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment which must be obtained from Parramatta City 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).

In order to apply for a driveway crossing, you are required to complete the relevant application form with supporting plans, levels and specifications and pay the appropriate fee of \$166.30

Note: 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.

B10. Parking

The parking dimensions, internal circulation, aisle widths, kerb splay corners, head clearance heights, ramp widths and grades of the car parking areas are to be in conformity with the current relevant Australian Standard AS2890.1 (2004) & AS2890.2 (2002), except where amended by other conditions of this consent. Certification or details of compliance are to be submitted with the Construction Certificate plans.

B11. Car Park Ventilation

Any exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining dwellings, and in accordance with the provisions of AS1668.1. Details demonstrating compliance are to be provided with the Construction Certificate.

B12. Security Roller for Basement Car Parking

The installation of any security roller shutter for the basement car parking area shall not restrict access to any designated visitor car parking space. In the event that the approved visitor car parking spaces are located behind any proposed security roller shutter, an intercom system is required to be installed to enable visitor access into the basement car parking area. This requirement is to be reflected on the Construction Certificate plans and any supporting documentation for the endorsement of the Principal Certifying Authority, prior to the release of the Construction Certificate.

B13. Design Verification

Prior to the release of the Construction Certificate design verification is required to be submitted from a qualified designer to confirm the development is in accordance with the approved plans and details and continues to satisfy 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)

B14. Right Turn Traffic Control

An additional right turn phase is required at the existing traffic control; signals at the intersection of Marden Street/Hunter Street for vehicles turning right into Hunter Street.

The additional phase will require an amended traffic signal plan to be submitted to the RTA. The submitted plans shall be designed to meet the RTA's requirements and endorsed by a suitably qualified and chartered Engineer (i.e who is registered with the Institute of Engineers, Australia) prior to the release of the Construction Certificate by the Principal Certifying Authority.

The RTA fees for administration, plan checking, civil works inspections and project management shall be paid by the Proponent/developer prior to the commencement of works.

The Proponent/Developer may be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. The WAD will need to be executed prior to the RTA's assessment of the detailed civil design plans.

B15. Development Near Rail Corridors and Busy Roads

An acoustic assessment is to be submitted to the Principle Certifying Authority prior to the issue of a construction certificate demonstrating how the development complies with the Department of Planning's and Infrastructures document titled 'Development Near Rail Corridors and Busy Roads – Interim Guidelines'.

B16. Construction Traffic Management Plan

A Construction Traffic Management Plan prepared by a qualified traffic consultant shall be submitted to the Council for the development. This plan should also take into consideration the impact on Council's local road network.

B17. Construction and Site Management Plan

Prior to issuing of a Construction Certificate the Proponent shall submit to Council or the accredited certifier a construction and site management plan that clearly sets out the following:

- (a) what actions and works are proposed to ensure safe access to and from the site and what protection will be provided to the road and footpath area from building activities, crossings by heavy equipment, plant and materials delivery, or static loads from cranes, concrete pumps and the like;
- (b) the proposed method of loading and unloading excavation machines, building materials, formwork and the erection of any part of the structure within the site;
- (c) the proposed areas within the site to be used for the storage of excavated material, construction materials and waste and recycling containers during the construction period;
- (d) how it is proposed to ensure that soil/excavated material is not transported on wheels or tracks of vehicles or plant and deposited on surrounding roadways;
- (e) the proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed by a chartered Civil Engineer or an accredited certifier; and
- (f) what actions are proposed to ensure Bandicoots and other native animals on the site are adequately protected throughout the construction process.

Where it is proposed to:

- Pump concrete from within a public road reserve or laneway, or
- Stand a mobile crane within the public road reserve or laneway, or
- Use part of Council's road/footpath area,
- Pump stormwater from the site to Council's stormwater drains, or
- Store waste and recycling containers, skip, bins, and/or building materials on part of Council's footpath or roadway.

An Activity Application for a pumping permit, an approval to stand a mobile crane or an application to pump water into a public road, together with the necessary fee shall be submitted to Council and approval obtained before a Construction Certificate is issued. An application for a construction zone is subject to Local Traffic Committee approval and therefore sufficient time should be allowed for the process. Applicable costs for the zone shall apply at the applicant's expense.

Note: A separate application to Council must be made for the enclosure of a public place (hoarding).

B18. Erosion & Sedimentation Control-Management Plan

Prior to issue of a construction certificate the Proponent shall prepare an erosion and sedimentation control plan in accordance with Part 4 of the guidelines titled "*Pollution Control Manual for Urban Stormwater*", as recommended by the Environment Protection Authority.

Any stormwater runoff collected from the site must be treated in accordance with the Guidelines, before discharge off the site to comply with the *Protection of the Environment Operations Act 1997* or other subsequent Acts.

Where sedimentation control basins are provided discharge shall be to the requirements of the Environment Protection Authority.

The Proponent is further advised to refer to the following publications for additional information:

(a) "*Sedimentation and Erosion Control*" - Department of Conservation and Land Management.

(b) "*Soil and Water Management for Urban Development*" - Department of Housing.

The plan must be submitted with the application for a construction certificate.

Further information may be obtained from:

Environment Protection Officer
Environment Protection Authority
Inner Sydney Region
Locked Bag 1502
BANKSTOWN NSW 2200

B19. Emergency Access

To demonstrate that suitable emergency access and fire fighting facilities are provided, the Proponent must provide the certifier with written evidence from the NSW Fire Service that they are satisfied with emergency access to and from the site.

B20. Sight Lines

Clear sight lines shall be provided at the property boundary line to ensure adequate visibility between vehicles leaving the car park and pedestrians along the frontage road footpath in accordance with Figure 3.3 of AS 2890.1 – 2004 for light vehicles and AS 2890.2 – 2002 for heavy vehicles.

B21. Access management plan for people with a disability

An Access Management Plan for the buildings subject to this consent shall be submitted to the accredited certifier before the issue of a Construction Certificate. Details for the Access Management Plan shall include:

- (a) Access to the building for people with disabilities in accordance with the provisions of AS4299 and AS 1428 Part 1.
- (b) Sanitary facilities accessible to people with disabilities. Such facilities shall be accessible to all persons working in or using the building.

B22. Vibration Damage Assessment/Geotechnical report

To minimise vibration damage and loss of support to buildings in close proximity, a report shall be prepared by a qualified Geo-technical engineer detailing the maximum size of hammer to be used where a hydraulic hammer is to be used within 30 metres of any building (other than a path or a fence). The report is to be submitted to and approved by the accredited certifier prior the issue of a Construction Certificate.

To ensure that the structural integrity of the proposal and neighbouring buildings will be maintained, a full geotechnical report must be submitted to the accredited certifier prior to the issue of a construction certificate and prior to the commencement of excavation works. The report must include an investigation of site and soil conditions as well as the proposed means of construction and must contain, where required, recommendations to ensure that excavation, backfilling and construction, including temporary works during construction, will not affect the structural integrity of neighbouring buildings or the structural stability of neighbouring public land, property or services. The report is to be prepared and certified by an appropriately qualified practicing geotechnical engineer.

All demolition, excavation, backfilling and construction must be undertaken in accordance with the recommendations of the geotechnical report.

B23. Sydney Metro

Prior to the issuing of the Construction Certificate, the Proponent/Developer of the site must enter into an Agreement with Sydney Metro that addresses the potential impacts of the approved development on the Metro Line 1 corridor, prior to the issue of a construction certificate and the commencement of any excavation below the existing ground level.

B24. Services adjustment or relocation

The Proponent shall meet the full cost for Telstra, Sydney Electricity, Sydney Water or Natural Gas Company to adjust/relocate their services as required. The Proponent shall make the necessary arrangements with the service authority. (For information on the location of these services contact the "Dial before you Dig" service on 1100.)

Documentary evidence from the public utility authorities confirming that all of their requirements have been satisfied shall be submitted to Council with the Construction Certificate under Section 68 of the Local Government Act, 1993, for construction of the development

B25. Water conservation

Water saving devices must be fitted to all showers and dual flush cisterns installed within all WC/ sanitary facilities provided throughout the development to reduce ongoing water consumption. Documentation to be shown on the plans to be provided with the Construction Certificate

B26. Sydney Water – Section 73 Compliance Certificate

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

Application must be made through an authorised Water Servicing Coordinator. Please refer to the "Your Business" section of the web site www.sydneywater.com.au then follow the "e-Developer" icon or telephone Sydney Water 13 20 92 for assistance.

Following application, a "Notice of Requirements" will advise of 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 time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to the PCA prior to the release of an occupation or subdivision certificate.

B27. Plantation or recycled timbers

To minimise the damage to the environment, no rainforest timbers or timbers cut from old growth forests are to be used in the construction of buildings.

The Construction Certificate is to specify the timbers to be used. These are to be limited to plantation timbers grown on Australian farms, or State Forest Plantations, or recycled timbers.

B28. Water efficient irrigation system

The communal open space areas shall be provided with a water efficient irrigation system to enable effective landscape maintenance. Details shall be included with the landscape plan to be submitted with the Construction Certificate.

B29. Infrastructure and Restoration Administration Fee

An *Infrastructure and Restoration Administration Fee* is to be paid to Council prior to the issue of a construction certificate. The fee to be paid is to be in accordance with Councils adopted 'Fees and Charges' at the time of payment.

End of Section

PART C – PRIOR TO CONSTRUCTION

C1. Notice of Commencement- Notification of Works

Work must not commence until the Principal Certifying Authority or the person having the benefit of the development consent has given Notification in Writing to Council no later than two days before the building work commences.

C2. Requirement for a Construction Certificate

In accordance with the provisions of Section 81A of the *Environmental Planning and Assessment Act 1979* the erection of a building and/or construction works must not commence until:

- a. detailed plans and specifications of the building (for each stage) have been endorsed with a Construction Certificate by:
 - (i) Council; or
 - (ii) an accredited certifier; and
- b. a principal certifying authority (PCA) has been appointed and the Council has been notified in writing of the appointment, and
- c. at least two days notice, in writing, has been given to Council of the intention to commence work.

The documentation required under this condition shall show that the proposal complies with all development consent conditions and the *Building Code of Australia*.

Note: If the PCA is the Council, the appointment will be subject to the payment of a fee for the service to cover the cost of undertaking building work and / or civil engineering inspections.

WARNING: Failure to obtain a Construction Certificate prior to the commencement of any building work is a serious breach of Section 81A(2) of the *Environmental Planning & Assessment Act 1979*. It is a criminal offence that attracts substantial penalties and may also result in action in the Land and Environment Court and orders for demolition.

C3. Geotechnical and Civil Engineering Report

1. Prior to the commencement of any excavation works on site the applicant shall submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:
 - The type and extent of substrata formations by the provision of a minimum of 4 representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs shall be related to Australian Height Datum.
 - The appropriate means of excavation/shoring in light of point (a) above and proximity to adjacent property and structures. Potential vibration caused by the method of excavation and potential settlements affecting nearby footings/foundations shall be discussed and ameliorated.
 - The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property structures and road reserve if nearby (full support to be provided within the subject site).
 - The existing groundwater levels in relation to the basement structure, where influenced.

- The drawdown effects on adjacent properties (including road reserve), if any, the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater. Where it is considered there is the potential for the development to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path is constructed, artificial drains such as perimeter drains and through drainage may be utilised.
- Recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program (as required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.

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

- i. No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- 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.

C4. Hoardings Application

A Hoarding Application together with the appropriate fee and details is to be submitted to and approved by Council for the enclosure of public space as required by Council's Hoarding Policy.

The hoarding is required to protect persons from construction or demolition works and no works can commence until approval for the hoarding has been obtained. Hoardings in the City Centre Local Environmental Plan area must also address the "Parramatta First - Marketing the City Brand". Details on policy compliance and brand marketing can be obtained by contacting Council's Construction Services on 02 9806 5602.

C5. Public Risk Insurance

Any person or contractor undertaking works on public land must take out Public Risk Insurance with a minimum cover of \$10 million in relation to the occupation of approved works within Council's road reserve or public land, as approved in this consent. The Policy is to note and provide protection for Council as an interested party and a copy of the Policy must be submitted to Council prior to commencement of the works. The Policy must be valid for the entire period that the works are being undertaken on public land.

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

C6. Waste Management Plan

The Waste Management Plan must address demolition and excavation, as applicable. The Plan must describe procedures by which waste will be minimised, managed and recycled and must address the following:

- a) Details of recycling and the removal of soil and rubbish from the site in the course of demolition and excavation operations including;
- b) Type and quantities of material expected from demolition and excavation;
- c) Name and address of transport company;
- d) Address of proposed site of disposal;
- e) Name/address of company/organisation accepting material;
- f) Types and quantities of materials that are to be re-used; or recycled, on and off site and procedures involved;
- g) Name of company/contractor undertaking on and off site re-use and recycling, and address of recycling outlet;
- h) Material for disposal and justification of disposal; and
- i) If details of items (ii) to (vii) are not known at the time of preparation of the Waste Management Plan, the information must be supplied immediately after the letting of the contracts.

The Waste Management Plan must be submitted to the satisfaction of the Principal certifying Authority prior to commencement of any works on site

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 on site.

C8. 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 development consent.

- (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.

C9. Pedestrian and Traffic Management Plan

A pedestrian and Traffic Management Plan must be submitted to the satisfaction of the Principal Certifying Authority prior to commencement of demolition and/or excavation. It must include details of the:

- (a) Proposed ingress and egress of vehicles to and from the construction site
- (b) Proposed protection of pedestrians adjacent to the site
- (c) Proposed pedestrian management whilst vehicles are entering and leaving the site
- (d) Proposed route of construction vehicles to and from the site, and
- (e) The Pedestrian and Traffic Management Plan shall be implemented during the demolition, excavation and construction period

C10. Road Opening Permit

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.

C11. Verge Maintenance

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

C12. Underground Utility Services

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 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.

C13. Existing damage to Council Property

Prior to commencement of works the applicant shall advise Council in writing, of any existing damage to Council property. A dilapidation survey of Council's assets, including photographs and written record, must be prepared and submitted to the Principal Certifying Authority and Council (if Council is not the PCA) prior to the commencement of works; failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs.

C14. Sanitary facilities· demolition/construction sites

Toilet facilities are to be provided, at or in the vicinity of the work site on which work involved in the erection or demolition of a building is being carried out, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site.

The provision of toilet facilities in accordance with this clause must be completed before any other work is commenced.

C15. Building location – check survey certificate

To ensure that the location of the building satisfies the provision of the approval, a check survey certificate shall be submitted to the PCA either prior to the pouring of the ground floor slab or at dampcourse level, whichever is applicable or occurs first, indicating the:-

- (i) location of the building with respect to the boundaries of the site;
- (ii) level of the floor in relation to the levels on the site (all levels are to be shown relative to Australian Height Datum)
- (iii) site coverage of the buildings on the site.

C16. Site Controls

Sediment and erosion controls must be in place before work is commenced on the site. The control strategies must be consistent with the technical requirements set out in the Sydney Coastal Councils' *Stormwater Pollution Control Code for Local Government*.

Material from the site is not to be tracked onto the road by vehicles entering or leaving the site. At the end of each working day any dust/dirt or other sediment shall be swept off the road and contained on the site and not washed down any stormwater pit or gutter.

A sediment and erosion control plan must be prepared and identify appropriate measures for bunding and siltation fencing. Any such erosion and sedimentation controls shall also include the protection of stormwater inlets or gutter systems within the immediate vicinity of the site.

The sediment and erosion control measures are to be inspected daily and defects or system failures are to be repaired as soon as they are detected.

C17. Dilapidation Reports

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 neighbouring structures within the 'zone of influence' of the required excavation face to twice the excavation depth.

The report should include a photographic survey of 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 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.

C18. Support for neighbouring buildings and notice to adjoining owners

1. If an excavation associated with the erection or demolition of a building extends 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:
 - a. must preserve and protect the building and structures from damage, and
 - b. if necessary, must underpin and support the building in an approved manner, subject to owner consent, and
 - c. must at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, 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.
 - d. The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purpose of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Notes:

- (i) Details of underpinning works, prepared and certified by a practicing structural engineer shall be submitted to and approved by the PCA prior to the commencement of any works.
- (ii) allotment of land includes a public road and any other public place.

C19. Sydney Water approval

To connect to Sydney Water's wastewater system, the amplifications and adjustments outlined within Sydney's Water Letter dated 17 June 2010 shall occur. Any adjustment or deviation required must be in accordance with the Sewerage Code of Australia (Sydney Water Edition WSA 02-2009) and Guidelines for Building Over or Adjacent to Sydney Water's wastewater mains.

C20. Protection of public places- erection or demolition of building

- If the work involved in the erection or demolition of a building is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient or involves the enclosure of a public place; a hoarding or fence must be erected between the work site and the public place.
- If necessary, an awning is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

- The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.
- Any such hoarding, fence or awning is to be erected prior to works commencing and only with Council approval in accordance with Workcover requirements. The temporary structures are to be removed when the work has been completed. Fees shall apply for any hoarding.

C21. Induction and Training by Nominated Heritage Consultant

All construction contractors, subcontractors, and personnel are to be inducted and informed by the nominated heritage consultant prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics' in accordance with the guidelines issued by the Heritage Council of NSW.

End of Section

PART D – DURING CONSTRUCTION

D1. Plans to be available on site

A copy of this development consent, 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.

D2. Noise from Construction

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.

D3. Plant and Equipment

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.

D4. Record of Complaint

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.

D5. Noise emissions and Vibrations

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.

D6. Waste Disposal

Where demolition is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the Department of Environment and Heritage 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.

D7. Disposal of Asbestos Waste 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.

D8. 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.

D9. Trees on Public Property

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

D10. Soil and Water Management Control

The vehicular entry/exits to the site within Council's road reserve must prevent sediment from being tracked out from the development site. This area must be laid with a non-slip, hard-surface material which will not wash into the street drainage system or watercourse. The access point is to remain free of any sediment build-up at all times.

D11. Public Safety

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.

D12. Management of Public Land

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 on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to Section 138 of the Roads Act 1993:

- (a) On-street mobile plant:
Eg. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, 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 that 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. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space 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 construction zone, 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.

D13. Protection of Adjoining Properties

If an excavation associated with the erection or demolition of a building extends 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:

- (a) Must preserve and protect the building from damage;
- (b) If necessary, must underpin and support the adjoining building in an approved manner; and
- (c) Must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, 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.

The owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

D14. A 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 work proceeding on the building.

D15. Footpath, kerb and gutter protection

In order to keep the area safe for pedestrians, the vehicular access across the kerb, gutter and footpath is to have timber protection so that heavy vehicles driving over this timber crossover protection do not damage the footpath and kerb and gutter.

D16. Spoil and building materials on road and footpath

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.

D17. Encroachment on Council property prohibited

No portion of the development, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.

D18. Signs to be erected on building and demolition sites

- (1) 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; and
 - (b) showing the name and address of the contractor for the building work and the person in charge of the work site and a telephone number at

- which the person may be contacted outside working hours; and
- (c) showing the name, address and telephone number of the Principal Certifying Authority appointed for the building works.
- (2) Any sign shall be maintained and not removed until work has finished.

D19. Demolition/excavation/construction – 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 (eg. 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.

D20. Matching materials- repairs to fabric

Matching materials are to be used in repairing the fabric of external surfaces.

D21. Dust control

Adequate measures are to be implemented, including, for example, water spraying/mesh barriers, to prevent dust from causing any nuisance.

D22. Site vehicles - mud/debris

You are to ensure that ALL vehicles leaving the site are free of mud and debris. Loads are to be fully covered and vehicles/wheels washed down to ensure that no nuisance occurs.

D23. Redundant vehicular crossings-removal and replacements

All redundant vehicular crossings shall be removed and replaced with concrete footpath, concrete kerb and concrete gutter at no cost to Council at the applicant's expense.

D24. Finished ground surface levels at property boundary

Finished ground surface levels at the property boundary after works shall match the ground surface levels at that location along the property boundary prior to the carrying out of works pursuant to this consent.

D25. Stormwater runoff

Allowance shall be made for surface runoff from adjacent properties, and to retain existing surface flow path systems through the site. Any redirection or treatment of these flows shall not adversely affect any other properties.

D26. Surface overflow paths – storm recurrence event

Surface overflow paths shall be provided to allow for the 1-hour 1 in 100 year storm recurrence event, and any more intense events.

Should it not be possible to provide an overland escape route for excessive stormwater an increase of 50 % in the required volume of stormwater storage will be required.

D27. Protection of Archaeology

Significant archaeological heritage items and remnant built fabric elements are to be adequately protected during the works from potential damage. Protection systems must ensure historic fabric is not damaged or removed.

D28. Erosion, dust, topsoil and sediment control

Temporary measures shall be provided during construction eg. bunding, shade cloth to prevent dust leaving the site, sandbags around Council/private stormwater pits etc. in order to prevent sediment, dust, topsoil and polluted waters discharging from the site. Plans showing such measures shall be submitted to Council and approved prior to the release of the Construction Certificate.

D29. Aboriginal Objects/ Artefacts

Should any Aboriginal object as defined in S 5(1) of the National Parks and Wildlife Act 1974 be uncovered during works on the site, all works shall cease. The Department of Environment and Heritage shall be contacted immediately and any directions or requirements complied with.

D30. Relics

Should any further relics (in addition to those already known) as defined within The Heritage Act 1977 be uncovered during excavation on site, the applicant must ensure that work ceases in that area and the Heritage Office is immediately notified in accordance with Section 146 of the NSW Heritage Act 1977.

Work must not recommence in that area until any necessary Excavation Permit has been obtained from the Heritage Council under Section 140 of the NSW Heritage Act, 1977.

D31. Garbage skips on Council land - Council approval

Bulk refuse bins or garbage skips shall not be placed on grass verge, footpath or roadway without Council permission.

End of Section

PART E – PRIOR TO ISSUE OF OCCUPATION CERTIFICATE / PRIOR TO OPERATIONS

E1. Street Numbering

A street number is to be placed on the site in a readily visible location, (numbers having a height of not less than 75mm) prior to occupation of the building.

E2. BASIX

Prior to the release of the Occupation Certificate, details of all amendments and treatments outlined in the BASIX Certificates submitted, to achieve satisfactory levels of thermal comfort, and satisfactory water and energy ratings, shall be incorporated into the proposed development and provided to the PCA. Should design changes require amended BASIX Certificates, a copy is to be provided to the Department, along with stamped plans, for information.

E3. Telecommunication Facilities

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 or issuing of any Occupation Certificate.

E4. Occupation Certificate

Occupation or use, either in part or full, is not permitted until an Occupation Certificate has been issued. The Occupation Certificate must not be issued unless the building is suitable for occupation or use in accordance with its classification under the Building Code of Australia and until all preceding conditions of this consent have been complied with.

Where Council is not the Principal Certifying Authority, a copy of the Occupation Certificate together with registration fee must be provided to Council.

E5. Critical Stage Inspections

In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority that is responsible for critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. Where Council is not the PCA, the PCA is to forward a copy of all records to Council.

The record must include details of:

- (a) the development application and Construction Certificate number;
- (b) the address of the property at which the inspection was carried out;
- (c) the type of inspection;
- (e) the date on which it was carried out;
- (f) the name and accreditation number of the certifying authority by whom the inspection was carried out; and
- (g) whether or not the inspection was satisfactory in the opinion of the certifying authority who carried it out.

E6. Sydney Metro

Prior to the issue of any occupancy certificate, provide Sydney Metro with drawings, reports and other information related to the design, construction and maintenance of the approved development to allow Sydney Metro to fully understand the interaction between the approved development and the Sydney Metro Line 1.

E7. Landscaping

The landscaping shall be completed in accordance with the consent and approved plans, prior to occupation or use of the premises and shall be maintained at all times.

E8. Electricity Supply

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. Engineering conditions to be satisfied prior to the issue of occupation certificate

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.

E10. 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.

E11. 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 our website at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to occupation of the development.

E12. Positive Covenant-stormwater detention/surface flow paths-occupation certificate

A positive covenant and a restriction 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 adequately maintained. A copy of the typical covenant may be obtained from the Council's Development Services Unit. Proof of registration shall be submitted to the Principal Certifying Authority prior to occupation or use of on-site.

E13. Monitoring and Maintenance Plan for Archaeology

A Monitoring and Maintenance Plan that provides specific details regarding the long-term maintenance needs of the retained physical archaeological 'relics' and associated artefact shall be provided. The Plan should be prepared by a materials conservator and must be submitted for the approval of the Director, Heritage Branch, prior to the occupation of the new development.

E14. Interpretation Plan

An Interpretation Plan which includes specific detail regarding the design, locations; media; devices and messages related to on-site archaeology which are proposed to be used at the site should be submitted for the approval of the Director, Heritage Branch, prior to the occupation of the new development. The Plan must be prepared in consultation with a materials conservator and an archaeologist in order to ensure that physical conservation needs of the archaeology are adequately reflected in final proposals.

E15. Air-conditioning

Prior to the release of the Occupation Certificate, air-conditioning must be installed in each residential dwelling.

End of Section

PART F – DURING OPERATIONS

F1. External Plant/ Air-conditioning System

Any External Plant/ air-conditioning system shall not exceed a noise level of 5 dBA above background noise level when measured at the side and rear boundaries of the property.

F2. Visitor Parking

A sign, legible from the street, shall be permanently displayed to indicate that visitor parking is available on the site and the visitor car parking spaces shall be clearly marked as such.

F3. Fire Safety Measures

All new and existing fire safety measures identified in the Fire Safety Schedule shall be maintained in working condition at all times.

F4. Removal of Graffiti

The owner/manager of the site is responsible for the removal of all graffiti from the building and fences within 48 hours of its application.

F5. Discharge of condensate from air conditioning units

Any condensate, moisture, etc shall not be permitted to be discharged onto the ground surface of the premises or into stormwater drainage systems in contravention of the requirements of the Protection of the Environment Operations Act 1997.

All such wastes must be discharged to sewers of Sydney Water.

F6. Lighting overspill - amenity

No security or other lighting shall cause light overspill to adjoining property owner's/ occupiers or residents.

F7. Deliveries/Service contractors

All deliveries/service contractors are to occur between the hours of 7:00am to 6:00pm Monday to Saturday. No deliveries are to occur on Sunday or Public Holidays. The deliveries and service contractors and the like are to be advised of the hours. This is to protect the amenity of the residents.

F8. Vehicle Turning Areas

The proposed turning areas within the car park are to be kept clear of any obstacles, including parked cars, at all times.

F9. Sight Lines

The required sight lines to pedestrians and or other vehicles in or around the entrances are not to be compromised by landscaping, signage, fencing or other materials.

F10. Noise conditions

The noise from the proposed mechanical plant and equipment noise shall not exceed 42 dB(A)Leq between 7.00am and 10.00pm, or 37 dB(A)Leq between 10.00pm and 7.00am, when measured at any residential facade. Where the measurement is conducted with microphone adjacent to a residential facade a 6dB correction shall be applied to the measured noise level to take into account the increase in sound pressure level attributable to the sound reflection from the facade.

F11. Waste Bins

Separate waste bins are to be provided on site for recyclable waste.

F12. Additional structures

No additional structures, including mechanical plant (air conditioning units), shall be erected without the prior approval of Council unless otherwise permitted under the Parramatta City centre Local Environmental Plan 2007, as amended, or other environmental planning instrument, or approval or development consent granted pursuant to the EP&A Act.

F13. No Stopping Sign

Subject to local traffic committee approval 'No Stopping' signs shall be installed along the site's entire Hunter Street frontage.

End of Section

PART H – ADVISORY NOTES

AN1. Compliance with the Disability Discrimination Act - liability

This decision does not ensure compliance with the Disability Discrimination Act. The owner, lessee, operator and/or manager of the premises is advised that under the Disability Discrimination Act 1992, it is illegal to discriminate against a person with a disability by means of restricting access to or within the building. If access is restricted the owner, lessee, operator and/or manager of the premises may be liable for prosecution and/or a successful appeal to the Human Rights and Equal Opportunities Commission. You should therefore investigate your liability under that Act. Australian Standard 1428 – Design for Access and Mobility, Parts 2, 3 and 4 may assist in determining compliance with the Disability Discrimination Act 1992.

AN2. Compliance with the Building Code of Australia

Preliminary assessment of the development application drawings indicates that the proposal may not comply with the following parts of the Building Code of Australia: Parts – C, D, E, F, H and J.

AN3. Trade waste agreement

A Trade Waste Agreement must be obtained from Sydney Water prior to the discharge of trade waste water to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'.

AN4. Storage of dangerous goods

Details of the exact nature, quantity, location, method of storage and packing of any material covered by the Dangerous Goods Act 1975, must be submitted to the Work Cover Authority in accordance with its requirements.

AN5. Other approvals

This development consent does not remove the need to obtain any other statutory consent or approval necessary under any other Act, including:

- an Application for Approval under Section 68 of the Local Government Act 1993 for any proposed activity under that Act, including any erection of a hoarding. All such applications must comply with the Building Code of Australia.
- an Application for Approval under Section 68 of the Local Government Act 1993 for a Place of Public Entertainment if proposed. Further building work may also be required for this use in order to comply with the Building Code of Australia. If there is any doubt as to what constitutes "Public Entertainment" do not hesitate to contact Council's Fire Officer.
- an application for an Occupation Certificate under Section 109(C)(2) of the Environmental Planning and Assessment Act 1979.

Note: An application for an Occupation Certificate may be lodged with Council if the applicant has nominated Council as the Principal Certifying Authority.

- an Application for a Subdivision Certificate under Section 109(C)(1)(d) of the Environmental Planning and Assessment Act 1979 if land (including stratum) subdivision of the development site is proposed.
- an Application for Strata Title Subdivision under the Strata Schemes (Freehold

Development) Act 1973, if strata title subdivision of the development is proposed.

- a development application for demolition approval under the Environmental Planning and Assessment Act 1979 if consent for demolition is not granted by this consent.
- Application for road use (opening) permit under s.138 of the Roads Act 1993 for works in or on a public road, or the temporary exclusive use of part of a roadway.