

Minutes of the Cumberland Independent Hearing and Assessment Panel held at Merrylands Administration Building, 16 Memorial Ave, Merrylands on Wednesday, 12 October 2016.

PRESENT:

The Hon. Paul Stein AM, QC (Chairperson), Mr. B. Kirk, Mr. S. McDonald and Mr. P. Moulds AM.

IN ATTENDANCE:

Monica Cologna, Adan Davies, Karen Hughes, Michael Lawani, Karl Okorn, Michael Rogers and Michael Wearne.

The meeting here opened at 11:37 a.m.

DECLARATIONS OF INTEREST – There were no disclosures of interest.

ADDRESS BY INVITED SPEAKERS – The following persons had made application to address the Cumberland Independent Hearing and Assessment Panel meeting:

<u>Speakers</u>	<u>Item No./Subject</u>
Mr. B. Paul	C023/16 – Planning Proposal for 53-73 Toongabbie Road - Post Public Exhibition Report.
Mr. A. Byrnes	C023/16 – Planning Proposal for 53-73 Toongabbie Road - Post Public Exhibition Report.

The Chairperson enquired to those present in the Gallery as to whether there were any further persons who would like to address the Panel on a matter listed on the Business Paper.

Mr. B. Paul and Mr. A. Byrnes each in turn, addressed the Panel on C023/16 – Planning Proposal For 53-73 Toongabbie Road - Post Public Exhibition Report.

The public part of the Cumberland Independent Assessment Panel meeting closed at 11:57 a.m.

The Panel remained in the Merrylands Council Chambers for consideration of the matters listed on the Business Paper and made its determinations as follows:

ITEM C021/16 - 31-35 QUEEN STREET, AUBURN

Resolved unanimously by the Cumberland Independent Hearing and Assessment Panel that Development Application No. DA-128/2016 for temporary use of an existing carspace for the erection of a tower crane on land at 31-35 Queen Street, Auburn, be approved subject to the following conditions:

1. Approved Plans

The development is to be carried out in accordance with the approved stamped plans as numbered below:

Plan Number	Prepared By	Revision No.	Dated
Plans, Elevations Number 16009 DA01	CAD Plans		2/5/2016
Crane Base Sheet 1/1	Design Construct Industries		14/1/2016
MRT84 Sheet 2/2	Design Construct Industries		14/1/2016

except as otherwise provided by the conditions of this determination (Note:- modifications to the approved plans will require the lodgement and consideration by Council of a modification pursuant to Section 96 of the Environmental Planning and Assessment Act).

Reason:- to confirm and clarify the terms of Council's approval.

2. Time period of consent

This consent shall lapse five (5) years from the date of determination unless the approved building, engineering or construction work has been physically commenced in accordance with this consent.

Development consent for the use of land does not lapse if the approved use of any land, building or work is actually commenced prior to the date on which the consent would otherwise lapse.

Reason:- to satisfy the requirements of Section 95 of the Environmental Planning and Assessment Act.

3. Maintain plans on-site

A copy of the approved plans & specifications, development consent conditions and Building Certificate must be kept on the site at all times and be available to the Council officers upon request.

Reason:- to ensure a record of the approved plans are readily available.

4. Building Certificate to be obtained

An application for a Building Certificate under Section 149D of the Environmental Planning and Assessment Act shall be submitted to Council within 30 days of the date of the Notice of Determination in respect of the erection of the crane on the site.

Reason:- to ensure a Building Certificate is applied for in respect of the unauthorised works carried out on the site.

5. Use of crane limited until building work is complete

The crane may remain on site until such time as construction work to the building at 32 to 40 Kerr Parade, Auburn is complete. Following the completion of the building, the crane shall be dismantled and removed from the site. Following the dismantling and removal of the crane, the car parking space initially used for the crane base shall be reinstated to its condition as approved in Development Consent 63/2007 issued 26 November 2007.

All works shall be completed prior to the issue of the final Occupation Certificate for the building at 32 to 40 Kerr Parade, Auburn.

Reason:- Council is only prepared to limit this approval to the time period specified above.

6. Secure base of crane

The base of the tower crane is to be secured in such a way as to prohibit access to the crane tower by unauthorized people. Details shall be submitted with the Building Certificate for approval by Council.

Reason:- to protect the base of the crane from unnecessary access.

7. No machinery or goods stored at base of crane

No machinery, goods or other materials associated with the construction works at 32-40 Kerr Parade, Auburn are to be stored at the base of the crane tower.

Reason:- to maintain clear access to the base of the crane.

For: The Hon. Paul Stein AM, QC (Chairperson), Mr. B. Kirk, Mr. S. McDonald and Mr. P. Moulds AM.

Against: Nil.

ITEM C022/16 – 9A AND 11A TALBOT ROAD, GUILDFORD

Resolved unanimously:

1. That the Cumberland Independent Hearing & Assessment Panel support the variation to Clause 4.3(2) of Parramatta Local Environmental Plan 2011 under the provisions of clause 4.6.
2. That the Cumberland Independent Hearing & Assessment Panel as the consent authority grant development consent to DA-219/2016 for lot consolidation, demolition, tree removal and construction of a 4 storey apartment Flat Building containing 20 apartments over basement car parking under the Affordable Rental Housing (SEPP) 2009 for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to the following conditions:-

General Matters

Approved plans and supporting documentation

1. The development is to be carried out in accordance with the following plans endorsed with Council’s Stamp as well as the documentation listed below, except where amended by other conditions of this consent and/or any plan annotations:

Drawing No.	Prepared By	Dated
Site Management, Dwg H000, Issue H	Design Corp Architects	27/5/2016
Roof/Site Analysis plan, Dwg H4, Issue H	Design Corp Architects	27/5/2016
Basement plan, Dwg H5, Issue H	Design Corp Architects	27/5/2016
Ground Floor Plan, Dwg H6, Issue H	Design Corp Architects	27/5/2016
First/Second Floor Plan, Drawing No. H7, Issue H	Design Corp Architects	27/5/2016
Third Floor Plan, Dwg H8, Issue H (as amended in red)	Design Corp Architects	27/5/2016
Elevation Plan, Dwg H9, Issue H	Design Corp Architects	27/5/2016
Section Plan, Dwg H10, Issue H	Design Corp Architects	27/5/2016
Shadows and Adaptable Unit 16 Dwg F12 Issue F	Design Corp Architects	11/12/2015
Materials and Finishes Schedule Dwg H14	Design Corp Architects	27/5/2016
Landscape Plan, Drawing B01 and B02, Revision B	Andrew Murphy Design.	10/3/2016
Cover Sheet, Legend and Drawing Schedule (Revision B) DWG 00	Loka Consulting	9/3/2016
Basement Stormwater Drainage Plan DWG D01 (Revision A)	Loka Consulting	24/11/2015
Basement Stormwater Drainage Details DWG D02 (Revision A)	Loka Consulting	24/11/2015
Ground Floor / Site Stormwater Drainage Plan DWG D03 (Revision B)	Loka Consulting	9/3/2016
Stormwater Drainage Details DWG D04 (Revision B)	Loka Consulting	9/3/2016
Erosion and Sediment Control Plan and Details (Revision A)	Loka Consulting	4/11/2015

Document(s)	Prepared By	Dated
Waste Management Plan		10/12/2015
BASIX Certificate No. 690378M		11 December 2015

Note: In the event of any inconsistency between the architectural plan(s) and/or stormwater disposal plan(s) (if applicable), the architectural plan(s) shall prevail to the extent of the inconsistency.

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

Building work in compliance with BCA

2. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code).

Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.

Construction Certificate

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

Reason: To ensure compliance with legislative requirements.

No encroachment on Council land

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

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

Demolition of Buildings

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

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

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

- (b) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.
- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to Cumberland Council for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours,

- contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (d) On the first day of demolition, work is not to commence until Cumberland Council has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
 - (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001.
 - (f) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
 - (g) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
 - (h) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
 - (i) Demolition is to be completed within 5 days of commencement.
 - (j) Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
 - (k) 1.8m high Protective fencing is to be installed to prevent public access to the site.
 - (l) A pedestrian and Traffic Management Plan must be submitted to the satisfaction of Council prior to commencement of demolition and/or excavation. It must include details of the:
 - (i) Proposed ingress and egress of vehicles to and from the construction site;
 - (ii) Proposed protection of pedestrians adjacent to the site;
 - (iii) Proposed pedestrian management whilst vehicles are entering and leaving the site.
 - (m) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
 - (n) Before demolition works begin, adequate toilet facilities are to be provided.
 - (o) After completion, the applicant must notify Cumberland Council within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
 - (p) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and

- (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
- (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

Dedication and Protection of Affordable Housing Units

6. Prior to the issue of any Occupation Certificate, a public positive covenant must be registered on the title identifying the affordable rental housing component of the development and indicating that the dwelling units nominated as affordable rental housing (4, 6, 7, 8, 9, 11, 12, 13, 14, 15 and 16) as specified in the plans and drawings in Condition 1, must be used for affordable rental housing and managed by a registered community housing provider for a period of 10 years from the issue of the Occupation Certificate.

Reason:- to ensure protection of the affordable housing units.

Management of the Affordable Housing Units

7. A registered community housing provider (as defined in the Housing Act, 2001) listed in the NSW Housing Register as maintained by the Department of Family and Community Services, is to be nominated in written correspondence to Council and the PCA and is to be contracted to manage the units nominated as affordable rental housing (4, 6, 7, 8, 9, 11, 12, 13, 14, 15 and 16) as shown on the approved plans prior to the release of any Occupation Certificate. A copy of the signed agreement between the owner and the community housing provider is to be submitted to Council at this time.

Reason:- to ensure that a community housing provider has been nominated to manage the affordable rental housing units.

Management of affordable housing units.

- ~~8. The applicant must nominate a community housing provider (CHP) who will manage the affordable housing component of the development. The CHP must demonstrate their familiarity with the local context of Cumberland Council. The relevant team must be consulted by the appointed community housing provider to ensure that the affordable housing allocation process is compatible with the existing community need.~~

~~**Reason:-** to ensure appropriate management of the affordable housing units.~~

Prior to the issue of a Construction Certificate

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

Home Warranty Insurance for \$20,000 over

9. Residential building work, within the meaning of the Home Building Act 1989, must not be carried out unless the Certifying Authority for the development to which the work relates fulfils the following:
- (a) In the case of work to be done by a licensee under the Home Building Act 1989; has been informed in writing of the licensee's name and contractor licence number; and is satisfied that the licensee has complied with the requirements of Part 6 of the Home Building Act 1989, or
 - (b) In the case of work to be done by any other person; has been informed in writing of the person's name and owner-builder permit number; or has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989, and is given appropriate information and declarations under paragraphs (a) and (b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either of those paragraphs.

Note: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that a person is the holder of an insurance policy issued for the purpose of that Part is, for the purposes of this clause, sufficient evidence that the person has complied with the requirements of that Part.

Reason: To comply with the Home Building Act 1989.

Long Service Levy payment for Constr. Over \$25,000

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

Reason: To ensure that the levy is paid.

Building work in compliance with BCA

11. All building work must be carried out in accordance with the current provisions of the Building Code of Australia (National Construction Code).

Reason: To comply with the Environmental Planning and Assessment Act 1979, as amended and the Environmental Planning and Assessment Regulation 2000.

S94A Contribution - Outside the City Centre

12. A contribution comprising a percentage **1%** of the total cost of the development is payable to Cumberland Council pursuant to Section 94A of the Environmental Planning and Assessment Act, 1979 and the Parramatta Section 94A Development Contributions Plan. Payment must be by EFTPOS, bank cheque or credit card only. The contribution is

to be paid to Council prior to the issue of a construction certificate and is to be in accordance with the following:

- (a) A cost report indicating the itemised cost of the development shall be completed and submitted to Council's Chief Executive Officer prior to the issue of a construction certificate:
- (i) Where the total development cost is less than \$750,000: **"Parramatta City Council Cost Summary Report"**; or,
 - (ii) Where the total development cost is \$750,000 or more: **"Parramatta City Council Registered Quantity Surveyor's Detailed Cost Report"**.
- A copy of the required format for the cost reports may be obtained from Parramatta City Council's Offices or Council's web site, http://www.parracity.nsw.gov.au/development/policies_and_regulations/section_94_plans
- (b) Should the cost summary report be submitted in advance of payment, the Levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.
- (c) Evidence must be provided that the levy has been paid to Council in accordance with this condition or that the cost of works is less than the applicable threshold.

Advisory Note

- The cost of development is to be determined in accordance with Section 25J of the Environmental Planning and Assessment Regulation 2000.

The cost of the development shall be determined by calculating the cost of the entire development minus the cost of providing the affordable housing component of the development. In this regard, the cost of providing 2 dwellings (being the affordable housing component) and 2 car parking spaces located within the basement (being the minimum car parking requirements for the affordable housing component) shall be deducted from the calculated cost of development. An itemised cost of the affordable housing component, compared to the remainder of the development is to be submitted to Council's satisfaction before the payment of the Section 94A cash contribution.

- The applicable thresholds are listed in Section 25K of the Environmental Planning and Assessment Regulation 2000 and in Part 3.7 of the Parramatta Section 94A Development Contributions Plan.

Environmental Enforcement Service Charge

13. An Environmental Enforcement Service Charge must be paid to Council prior to the issue of a Construction Certificate. The fee will be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

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

Infrastructure & Restoration Administration fee

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

The fee will be in accordance with Councils adopted ‘Fees and Charges’ at the time of payment.

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

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

Security Bonds (For minor development)

15. In accordance with Section 80A(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds payable to Council for the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application/approval associated with the allotment, (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate is not required.

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/914/2015;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

Bond Type	Amount
Development Site	\$20,000

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to Cumberland Council with the payment of the bond/s.

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

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

No external service ducts for multi-unit develop

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

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

Single master TV antenna

17. A single master TV antenna not exceeding a height of 3.0m above the finished roof level must be installed on each building to service the development. A connection is to be provided internally to each dwelling/unit within the development.

Details of these connections are to be annotated on the plans and documentation accompanying the Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To protect the visual amenity of the area.

SEPP 65 verification

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

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

Reason: To comply with the requirements of SEPP 65.

Construction noise Management plan for townhouses & above

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

The Construction Noise Management Plan must include:

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

Reason: To prevent loss of amenity to the area.

Energy Provider requirements for Substations

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

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

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

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

Adaptable Dwellings for Multi-unit and RFB's

21. The development must incorporate two adaptable dwellings. Plans submitted with the construction certificate must illustrate that the required adaptable dwellings have been designed in accordance with the requirements of AS 4299-1995 for a class C Adaptable House.

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

Consolidation of lots

22. The existing lots shall be consolidated into one (1) lot and the plan of consolidation registered at the NSW Department of Lands. Proof of registration shall be submitted prior to issue of the Construction Certificate.

Reason: To ensure consolidation occurs and comply with the Conveyancing Act 1919.

Retaining walls

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

Reason: To minimise impact on adjoining properties.

Sydney Water Quick check

24. The approved plans must be submitted to a Sydney Water Quick Check agent or Sydney Water 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. This process will result in the plans being appropriately stamped.

The Principal Certifying Authority must ensure the plans are stamped by Sydney Water prior to the issue of any Construction Certificate and works commencing on site.

Notes: For Quick Check agent details please refer to the web site www.sydneywater.com.au - see Building and Developing - then Quick Check or telephone 13 20 92. For Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing - then Building and Renovating or telephone 13 20 92.

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

Dial Before you Dig Service

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

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

On Site Detention

26. No work shall commence on the storm water system until the detailed final storm water plans have been approved by the Principal Certifying Authority. Prior to the approval of storm water drainage plans, the person issuing the Construction Certificate shall ensure that:

- (a) The final drainage plans are consistent with the submitted Drainage Plans as shown in the table below.

Plan Number	Prepared by	Date
Cover Sheet, Legend and Drawing Schedule (Revision B) DWG 00	Loka Consulting	9/3/2016
Basement Stormwater Drainage	Loka Consulting	24/11/2015

Plan DWG D01 (Revision A)		
Basement Stormwater Drainage Details DWG D02 (Revision A)	Loka Consulting	24/11/2015
Ground Floor / Site Stormwater Drainage Plan DWG D03 (Revision B)	Loka Consulting	9/3/2016
Stormwater Drainage Details DWG D04 (Revision B)	Loka Consulting	9/3/2016

Water Sensitive Urban Design

- i. In order to improve the quality of the site stormwater entering the street stormwater system, the following measures should be employed in accordance with the Section 3.3.6 of Parramatta DCP 2011.
- Each of the surface collection pits should be fitted with the filtration basket such as ENVIROPOD or equivalent for treatment of surface run off
 - The grated cover of each of the surface collection pit should be fitted with the wire mesh/ net to prevent debris/ floating objects entering the pits.
 - Rainwater tank(s) for the treatment of roof runoff.

OSD system

- i. The proposed outlet connection into the existing council stormwater system is against the direction of flow. This is likely to cause backflow of street water into the OSD tank. The connection should be in the direction of flow (not against as proposed). In this regard, the location and the layout of the control pit and outlet pipe need to be redesigned.

Sewer line in conflict with the basement car park.

- ii. The existing sewer line crosses the subject site over the proposed basement, thus exposing the sewer pipe. Appropriate measures should be employed in compliance with the requirements of Sydney water.

Driveway long-section profiles

- iii. The Driveway long-section profile is incomplete. The cross-section does not start from the road and it is not clear whether the crest of the driveway is higher than the top of kerb or not. It is essential that the driveway slopes upward from the kerb & gutter up to the front property boundary with the crest at property line, which should be at least **150mm** higher than the kerb, before it falls downwards. This is to prevent the street stormwater entering the property through the driveway.

Inconsistency between the stormwater plan and architectural plans.

- iv. The inconsistency (if any) between the stormwater plan and other plans shall be eliminated. The amendments made on one plan shall be incorporated into other plans as well.

Note: *The referenced stormwater Plans shall be amended to incorporate the rectification requirements (if any) and address the above issues prior to submission with the application for Construction Certificate to the Principal Certifying Authority for approval.*

- (b) The proposed On-Site Detention (OSD) System has been designed by a suitably qualified Hydraulic Engineer, in accordance with the Upper Parramatta River Catchment Trust “On-Site Detention Handbook” and Council’s stormwater Drainage Guidelines.
- (c) The OSD design is to achieve the thresholds of a Site Storage Requirement (**SSR**) of **470 m³/ha** and a Permissible Site Discharge (**PSD**) of **80 l/s/ha** (as per 3rd edition of UPRCT’s handbook) with **the minimum storage capacity of 57.1m³ for the underground OSD tank.**
- (d) The wall of the OSD tanks are to be constructed of reinforced cement concrete (RCC) or solid brick or concrete, with waterproofing and water retaining capability to comply with Australian Standard: AS3600-2009-concrete structures and AS3700-2001-Masonry structures. The base of the OSD tank shall be constructed of RCC slab. No other construction materials other than those specified in this paragraph shall be used to construct the OSD tank. Failure to comply with the requirements in this condition will result in Council issuing an order to the Applicant requiring demolition of any non-complying components and reconstruction with complying materials.
- (e) Detailed Stormwater plans with cross sectional details of control pit and the OSD storage areas; pits etc., the OSD Detailed Design Submission (Form B9) and OSD Detailed Calculation Summary Sheets are to be submitted with the documentation accompanying the construction certificate application.
- (f) A calculation table showing the available storage volume with the pyramid volume and prismatic volume calculation method is to be shown on the plan.
- (g) Changes or alterations to the approved design are not permitted. Any changes, other than that are of minor nature (such as minor relocation of pits and pipes), or the changes that affect the approved landscaping require prior approval from the council.

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

Design of underground tank structure

- 27 As the underground OSD tank forms the OSD storage, the tank structures shall be designed and certified by a Certified Practising Structural Engineer, taking into account of the structural loads including dead load and live load from the above and surrounding areas/structures, which exert load on the tank structures. The principal certifying authority shall ensure that the designer has taken account of all loads influencing the tank structures, duly certified and provided the structural design certificate.

Upon completion of construction, a Certified Practising Engineer to the satisfaction of the principal certifying authority shall certify the work. The principal certifying authority shall ensure that a practicing certified Engineer upon completion of the works duly certifies the construction works.

Reason: To ensure that the structural stability of the underground tank structure.

Driveway to match existing footpath level

28. The driveway within the property shall be designed and constructed to match the surface levels with that of existing concrete footpath/ nature strip at the property boundary and that joints are smooth, and no part of the concrete protrudes out.

Reason: To provide suitable vehicle access and smooth junction.

Basement carpark and subsurface drainage

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

- (a) A holding tank must be installed in the basement as shown on the **drawing Number D02 (Revision A)** and prepared by Loka Consulting Engineers Pty Ltd approved as part of this consent. The holding tank must have a capacity of **7.6m³ as shown on the drawing** and be capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
- (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - (i) The permissible site discharge (PSD) rate; or
 - (ii) The rate of inflow for the one hour, 5 year ARI storm event.
- (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
- (d) A 100 mm freeboard to all parking spaces.
- (e) Submission of full hydraulic details and pump manufacturers specifications.
- (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

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

Reason: To ensure satisfactory storm water disposal.

Collect and discharge of dirty water from car wash bay

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

Reason: To ensure satisfactory storm water disposal.

Underground electricity supply for townhouses and above

31. Electricity provision within the site is to be designed so that in the future the electrical connection from this site can be made to an underground connection within the street. Certification from an energy provider addressing their requirements for this provision is to be forwarded to the Certifying Authority with the application for a Construction Certificate.

Reason: To enable future upgrading of electricity services.

Construction of a standard vehicular crossing

32. A standard vehicular crossing shall be constructed in accordance with Council's Standard Drawing numbers DS8 and DS10. Details must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

Reason: To ensure appropriate vehicular access is provided.

Exhaust fumes

33. All mechanical 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 – 1998 – 'The use of ventilation and air conditioning in buildings' – 'Fire and smoke control in multi-compartmented buildings'. Details showing compliance are to accompany an application for a Construction Certificate.

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

Security roller shutters for basement car parking

34. Where a security roller shutter or boom gate prevents access to visitor car parking, an intercom system is required to be installed to enable visitor access to the car parking area. Details of the system and where it is to be located is to accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

Reason: To ensure visitor carparking is accessible.

Impact on Existing Utility Installations

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

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

Support for Council roads, footpath and drainage reserve

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

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

Reason: To protect Council's infrastructure.

Driveway Grades

37. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 (2004) - "Off-street car parking" to prevent the underside of the vehicles scraping. Details are to be provided with the application for a Construction Certificate.

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

Planter Box Details

38. Construction details showing substrate depth, drainage, waterproofing etc., for ground floor and roof top planter boxes are to be provided with an application for a Construction Certificate.

Reason: To ensure the creation of functional gardens.

Prior to the issue of a Construction Certificate

39. Details of the registered community housing provider responsible for the management of the 2 affordable rental housing dwellings is to be submitted to the Principal Certifying Authority and Council before the issue of the Construction Certificate. A copy of the signed agreement between the owner and the community housing provider is to be submitted to Council at this time.

Reason: To ensure compliance with the provisions of SEPP (Affordable Rental Housing) 2009.

Prior to the issue of a CC

40. Parking spaces are to be provided in accordance with the approved plans referenced in condition 1 and with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate. **Note: Where access to storage cages would be impeded by a parked car, said cages are to be allocated to the same unit that the parking space is allocated to in order to comply with the Apartment Design Guide.**

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

41. Bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-2015. **Note: Aisle width provided to horizontal bicycle spaces is to be 1.5m. These spaces are to be provided within a secure room or cage accessible to residents via a swipe card, key or other such device.** Details of the spaces and bicycle parking devices are to be illustrated on plans submitted with the construction certificate.

Reason: To comply with Council's parking requirements.

42. Prior to the issue of the construction certificate, the PCA shall ascertain that any new element in the car park not illustrated on the approved plans such as columns, garage doors, fire safety measures, driveway ramp access gradients and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate. **Note that the 12.5% grade transition at the base of each ramp is to be lengthened from 2m to 2.45m to prevent scraping and the 25% grade section is to be shortened by a corresponding 0.225m to maintain the overall depth of the ramp. Furthermore the storage cage in the northwest corner adjacent bicycle parking is to be shortened by 0.2m to comply with Figure 5.2 of AS2890.1-2004.**

Reason: To ensure appropriate vehicular manoeuvring is provided.

43. A splay extending 2m from the driveway edge along the property boundary and 2.5m from the boundary of the driveway is to be provided. This splay is to comply with Figure 3.3 of AS2890.1 and shall provide clear sight lines of pedestrians from vehicles exiting the site. This shall be illustrated on plans submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials. **Note: Any such materials may only be permitted if they are less than or equal to 900mm height above the driveway level.**

Reason: To comply with Australian Standards and ensure pedestrian safety.

Prior to the issue of a Construction Certificate

44. Prior to the issue of the Construction Certificate amended plans are to be submitted to the Certifying Authority showing:
- Deletion of the entry awning structure over the Talbot Road boundary; and
 - The front fence being a maximum height of 1.2m, measured from ground level.

Reason: To comply with Council requirements.

Prior to Work Commencing

Appointment of PCA

45. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:
- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
 - (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

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

Reason: To comply with legislative requirements.

Enclosure of the site

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

Reason: To ensure public safety.

Site Sign

47. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 detailing:
- (a) Unauthorised entry of the work site is prohibited;
 - (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
 - (c) The name, address and telephone number of the Principal Certifying Authority;
 - (d) The development consent approved construction hours;

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

This condition does not apply where works are being carried.

Reason: Statutory requirement.

Toilet facilities on site

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

Reason: To ensure adequate toilet facilities are provided.

Public liability insurance

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

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

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

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

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

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

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

Footings and walls near boundaries

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

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

Construction and Traffic Management Plan

51. Prior to the commencement of any works on 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:
 - (i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
 - (ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
 - (iii) The locations of proposed Work Zones in the egress frontage roadways,
 - (iv) Location of any proposed crane standing areas,

- (v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
 - (vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
 - (vii) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
 - (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
 - (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
- (b) Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Works Zone' restriction is to be installed by Council once the applicant notifies Council in writing of the commencement date (subject to approval through Parramatta Traffic Committee processes). Unused fees for kerbside charges are to be refunded once a written request to remove the restriction is received by Council.

- (c) Traffic Control Plan(s) for the site:
- (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development requiring specific construction management measures are to be identified and specific traffic control measures identified for each,
 - (ii) Approval shall be obtained from Cumberland Council for any temporary road closures or crane use from public property.
- (d) 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.

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

Road Opening Permits

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

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

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

Dilapidation survey & report for private properties

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

The report must include a photographic survey of the adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer in accordance with the recommendation of the geotechnical report. A copy of the dilapidation report must be submitted to Council. In the event access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principle Certifying Authority.

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

Reason: Management of records.

Geotechnical report

- 54 Prior to the commencement of any excavation works on site the applicant must submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:

- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the

- profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
- (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.
 - (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
 - (d) The impact on groundwater levels in relation to the basement structure.
 - (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

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

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

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

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

- (i) No ground settlement or movement is to be induced which is sufficient enough to cause an adverse impact to adjoining property and/or infrastructure.
- (ii) No changes to the ground water level are to occur as a result of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.
- (iii) No changes to the ground water level are to occur during the construction of the development that is sufficient enough to cause an adverse impact to the surrounding property and infrastructure.

- (iv) Vibration is to be minimised or eliminated to ensure no adverse impact on the surrounding property and infrastructure occurs, as a result of the construction of the development.
- (v) Appropriate support and retention systems are to be recommended and suitable designs prepared to allow the proposed development to comply with these design principles.
- (vi) An adverse impact can be assumed to be crack damage which would be classified as Category 2 or greater damage according to the classification given in Table CI of AS 2870 - 1996.

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

Connection in to existing drainage system

55 Details of the proposed outlet pipe and connection work into the existing kerb inlet pit within the public domain on **Mountford Avenue** shall be submitted to council's Civil Infrastructure Unit for approval. The detail shall include the following requirements:

- a. *The details of connection in to the existing council's kerb inlet pit:*
The connection to the existing downstream kerb inlet pit shall be made in accordance with Council **Standard Plan** (*Please contact the council's civil Infrastructure Unit for requirement details on kerb inlet pit type, connections requirements and the relevant standard plan number/drawing*).
- b. The connection into the stormwater system shall be in the direction of flow (not against).

No works on the public domain shall commence until the approval is obtained from council's **Civil Infrastructure Unit** on the submitted drawings including the construction details.

Upon completion of the work separate Work-As-Executed plan shall be prepared on the approved stormwater plan and submitted to council for record and sign off.

Reason: To ensure that the stormwater work comply with council's requirements.

Erosion and Sediment Control measures

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

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

Site Maintenance

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

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

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

Shoring and adequacy of adjoining property

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

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

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

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

Special Permits

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

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.

(d) Kerbside restrictions - construction zones:

The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

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

Reason: Proper management of public land.

Driveway Crossing Application

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

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

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

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

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

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

Existing Damage to public infrastructure

61. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Council of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters, drainage pits, pipes etc. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council 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.

Reason: To ensure that the applicant bears the cost of all restoration works to Council's property damaged during the course of this development.

Relocation of Sewer line away from basement car

62. The existing sewer line crosses the subject site over the proposed basement and cause conflict, shall be relocated away from the basement by employing appropriate measures in compliance with the requirements of **Sydney water**.

Reason: To ensure elimination of conflict and compliance with the Sydney water requirements.

During Work

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

Demolition works are restricted to Monday to Friday between the hours of 7.00am to 5.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.

Reason: To protect the amenity of the area.

Erosion & sediment control measures

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

Reason: To ensure no adverse impacts on neighbouring properties.

Grated drain at the base of basement access ramp

65. A **300mm** wide grated channel/trench drain with a heavy-duty removable galvanised steel grate shall be provided to the full driveway width **of ramp at the base of basement access ramp** to collect driveway runoff. The **grated/channel** drain shall be connected to the **basement pump-out tank** and shall have an outlet of minimum diameter **150mm** to prevent blockage by silt and debris.

Reason: Stormwater control & runoff management.

Damage to public infrastructure

66. Any damage to Council assets that impacts on public safety during construction is to be rectified immediately to the satisfaction of Council with all costs to be borne by the person having the benefit of the Development Consent.

Reason: To protect public safety.

Construction of a concrete footpath

67. A footpath is to be constructed in accordance with Council Standard Drawing DS3 in front of the site within the road reserve. Details of the proposed footpath works shall be submitted to and approved by Council's Civil Asset Team prior to commencement of footpath works. All costs are to be borne by the applicant.

Reason: To provide pedestrian passage.

Construction of a standard kerb ramp

68. A Standard Kerb Ramp is to be constructed at the intersection of **Mountford Avenue and Talbot Road** in accordance with Council Plan No. **DS4 (or as directed/advised by Council's Civil Infrastructure Unit)**. Details must be submitted to and be approved by Council prior to construction. All costs must be borne by the applicant.

Reason: To provide adequate access.

Car parking & driveways

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

Reason: To ensure appropriate car parking.

Vehicle egress signs

70. Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way.

Reason: To ensure pedestrian safety.

Nomination of Engineering Works Supervisor

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

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

Connection into the Kerb Inlet Pit

72. The proposed outlet pipe and connection works into the existing kerb inlet pit within the public domain (**on Mountford Avenue**) shall comply with the following requirements.

- a) The connection into the stormwater system shall be in the direction of flow and not against.
- a) Connection into the existing downstream Kerb inlet pit in accordance with council's **Standard Plan** (*Please contact the council's civil Infrastructure Unit*)

for requirement details on kerb inlet pit type, connections requirements and the relevant standard plan number/drawing).

- b) Request for inspection by council's Civil Infrastructure Unit, of works during progression as required by Council's Civil Infrastructure Unit.
- c) The connection work must be inspected by the engineer from Council's Civil Infrastructure Unit and approved prior to backfilling.
- d) Remediation of site upon completion of work to the satisfaction of Council's Civil Infrastructure Unit.

Prior approval for the drawings shall be obtained from Council's Civil Infrastructure Unit. No pipe/pit works shall commence until the approval is obtained. During the progress of work booking for staged/progress inspection by Council's Civil Infrastructure Unit shall be made.

Upon completion of the work, the construction and connection work shall be certified by a qualified engineer. A separate Work-As-Executed plan shall be prepared on the approved stormwater plan and submitted together with the engineer's certificates to Council separately.

Reason: To ensure that the stormwater work comply with requirements of relevant authority.

Occupation of any part of footpath/road

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

Reason: To ensure proper management of Council assets.

Oversize vehicles using local roads

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

Reason: To ensure maintenance of Council's assets.

No removal of trees on public property

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

Reason: Protection of existing environmental infrastructure and community assets.

Planting Requirements

76. All trees planted as required by the approved landscape plan are to be a minimum 45 litre container size. All shrubs planted as part of the approved landscape plan are to have a minimum 200mm container size.

Reason: To ensure appropriate landscaping.

Removal of trees by an arborist

77. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Draft Tree Work Code of Practice 2007.

Reason: To ensure works are carried out in accordance with the Draft Tree Work Code of Practice 2007.

Non-standard - During Work

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

Reason: To ensure proper management of Council assets.

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

Reason: To ensure maintenance of Council's assets.

Liquid and Solid Wastes

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

Reason: To prevent pollution of the environment.

General requirements for liquid and solid waste

81. Liquid and solid wastes generated on the site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 and in accordance with DECC the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).

Reason: To prevent pollution of the environment.

Hazardous/intractable waste disposal

82. Hazardous or intractable wastes arising from the demolition process shall be removed and disposed of in accordance with the requirements of Work Cover NSW and the EPA, and with the provisions of:

- (a) Work Health and Safety Act 2011
- (b) NSW Protection Of the Environment Operations Act 1997 (NSW) and
- (c) NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

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

Waste data maintained

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

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

Prior to the issue of an Occupation Certificate/Subdivision Certificate

Occupation Certificate

84. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 109H of the Environmental Planning and Assessment Act 1979.

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

Record of inspections carried out

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

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

Reason: To comply with stator requirements.

Street Number when site readily visible location

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

Reason: To ensure a visible house number is provided.

BASIX Compliance

87. Under Clause 97A of the Environmental Planning & Assessment Regulation 2000, it is a condition of this development consent that all design measures identified in the BASIX Certificate No. 690378M, will be complied with prior to occupation.

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

Provision of Endeavour Energy services

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

Reason: To ensure appropriate electricity services are provided.

The Release of Bond(s)

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

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

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

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

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

Reason: To safe guard the public assets of council and to ensure that these assets are repaired/maintained in a timely manner.

SEPP 65 verification statement OC stage

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

principles set out in Part 2 of State Environmental Planning Policy No 65 - Design Quality of Residential Flat Development.

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

Reason: To comply with the requirements of SEPP 65.

Adaptable dwellings Multi-unit and residential flat buildings

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

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

Post Construction Private Property Dilapidation Report

92. 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 and or infrastructure.

The report is to be submitted to the PCA prior to the issue of the occupation certificate. In ascertaining whether adverse structural damage has occurred to adjoining buildings/ infrastructure, the PCA must compare the post-construction dilapidation report with the pre-construction dilapidation report.

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

Reason: To establish any damage caused as a result of the building works.

Construction of a concrete footpath

93. Proof of completion of footpath construction work shall be submitted to the satisfaction of Council prior to release of the Occupation Certificate.

Reason: To provide pedestrian passage.

Reinstatement of laybacks

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

Reason: To provide satisfactory drainage.

Lot consolidation

95. All individual parcels of land holding a separate title within the development site must be consolidated into one lot. A plan of consolidation must be registered with the Land

and Property Information Division of the Department of Lands, prior to an Occupation Certificate being issued.

Reason: To comply with the Conveyancing Act 1919.

Construction of a standard kerb ramp

96. Proof of completion of the Kerb Ramp must be submitted to the satisfaction of the Council prior to the issue of an Occupation Certificate.

Reason: To provide adequate access.

Section 73 Certificate

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

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

Work-as-Executed Plan

98. 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.

- (a) Stormwater system including On-Site Detention systems have been built according to and comply with the requirements including the OSD storage volume as shown on the approved stormwater plan.
- (b) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- (c) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- (d) The “As-built” On-Site Detention (OSD) storage volumes are to be presented in a tabular form using the pyramid volume and prismatic volume calculation method.
- (e) OSD WAE Survey certification form and WAE dimensions form (Form B10 and attachment B. Refer to UPRCT Handbook).
- (f) Certificate of Hydraulic Compliance (Form B11) from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook). The person issuing Hydraulic certificate shall ensure that all the works have been completed and comply with the approved plans.
- (g) Approved verses installed Drainage Design (OSD) Calculation Sheet certified by a qualified practicing Hydraulic Engineer.
- (h) Structural Engineer’s Certificate for the OSD tank structure, basement pump out tank structure, OSD basin (retaining) wall etc.

The above is to be submitted to the Principal Certifying Authority prior to the issue of an occupation certificate and another set of the documents shall be submitted to Council.

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

OSD Positive Covenant/Restriction

99. Prior to the issue of an Occupation Certificate a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919 must be created, burdening the owner with the requirement to maintain the on-site stormwater detention facilities on the lot.

The terms of the instruments are to be generally in accordance with Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" to Council's satisfaction.

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

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

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

Street Numbering

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

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

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

Driveway Crossover

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

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

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

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

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

Reason: Pedestrian and Vehicle safety.

Post-construction dilapidation/ damage report

102. 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:

- (a) compare the post-construction dilapidation/damage report with the pre-construction dilapidation/ damage report, and
- (b) have written confirmation from the relevant authority that there is no adverse structural damage to their infrastructure and roads.
- (c) carry out site inspection to verify the report and ensure that any damage to the public infrastructure as a result of the construction work have been rectified immediately by the developer at his/her cost.
- (d) Forward a copy of the dilapidation report with the PCA's comparison and assessment review report to Council.

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

Certification authority, Arrange Qualified LandscapeArch

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

Reason: To ensure restoration of environmental amenity.

Prior to issue of Occ/Sub Cert/Use

104. Before the issue of **any** Occupation Certificate, a restriction is to be registered in accordance with section 88E of the Conveyancing Act 1919 against the title of the property, that will ensure that the following requirements met:

- (a) For 10 years from the date of the issue of the occupation certificate:
 - (i) the dwellings proposed to be used for the purposes of affordable housing (being Units 101 and 102 as shown on the DA plans) will be used for the purposes of affordable housing as defined under SEPP (Affordable Rental Housing) 2009, and
 - (ii) all accommodation that is used for affordable housing will be managed by a registered community housing provider.

Reason: To comply with the provisions of SEPP (Affordable Rental Housing) 2009.

Prior to issue of Occupation certificate /Subdivision Certification

105. Prior to the issue of the occupation certificate, convex mirrors are to be installed in accordance with approved plans, with their height and location adjusted to allow an exiting driver a full view of the driveway/circulation roadway in order to see if another vehicle is coming through. Convex mirrors are to be installed at both ends of each ramp and at each curve point.

Reason: To ensure safety of drivers.

Commencement of waste collection services

106. Prior to the issue of any occupation certificate, evidence that a waste collection service contractor has been engaged to service the site shall be submitted to the satisfaction of the PCA.

Reason: To ensure a waste collection service is commenced at the time of occupation of the development.

The Use of the Site

External Plant/Air-conditioning noise levels

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

Reason: To minimise noise impact of mechanical equipment.

Graffiti Management

108. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.

Reason: To ensure the removal of graffiti.

Landscape maintenance

109. All landscape works shall be maintained for a minimum period of two (2) years following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions.

Reason: To ensure restoration of environmental amenity.

Non-standard - The Use of the Site

110. For 10 years from the date of the issue of the occupation certificate:

- (a) the dwellings proposed to be used for the purposes of affordable housing (being Units 101 and 102 as indicated on the DA plans) must be used for the purposes of affordable housing as defined under SEPP (Affordable Rental Housing) 2009, and
- (b) all accommodation that is used for affordable housing must be managed by a registered community housing provider.

Reason: To comply with the provisions of SEPP (Affordable Rental Housing) 2009.

The Use of the Site

111. The roller shutter door to be provided at the entrance to the basement is to be operated via remote control.

Reason: To comply with Australian Standards.

Storage of bins between collection periods

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

Reason: To ensure waste is adequately stored within the premises.

Management of waste storage facilities

113. All waste storage areas are to be maintained in a clean and tidy condition at all times.

Reason: To ensure the ongoing management of waste storage areas.

Remove putrescible waste at sufficient frequency

114. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

Reason: To ensure provision of adequate waste disposal arrangements.

Provide waste storage room on premises

115. A waste storage room is to be provided on the premises and shall be constructed to comply with all the relevant provisions of Council's Development Control Plan (DCP) 2011 including:

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

Reason: To ensure provision of adequate waste storage arrangements.

For: The Hon. Paul Stein AM, QC (Chairperson), Mr. B. Kirk, Mr. S. McDonald and Mr. P. Moulds AM.

Against: Nil.

ITEM C023/16 – PLANNING PROPOSAL FOR 53-73 TOONGABBIE ROAD - POST PUBLIC EXHIBITION REPORT

Resolved unanimously that the Cumberland Independent Hearing and Assessment Panel (CIHAP):

1. Receive and note the report and outcomes of the community consultation.
2. Note Council's compliance with the conditions of the Department of Planning and Environment's Gateway Determination issued (with delegations) for this Planning Proposal in accordance with section 56(2) of the Environmental Planning and Assessment Act 1979.
3. Recommend proceeding with the amendments to the controls affecting the subject area of 53-73 Toongabbie Road, Toongabbie, as revised in this report from those of the Planning Proposal. That is, to amend the planning controls for the entire Subject area to:
 - a. Land use zoning of R4 High Density Residential.
 - b. Maximum building height of 11m (3 storeys).
 - c. Floor Space Ratio (FSR) of 1:1.
 - d. Minimum subdivision lot size of 900m².
4. Recommend that this Planning Proposal, with the proposed revised planning controls as listed in Recommendation 3, be reported to Council seeking a resolution to finalise the LEP amendment.

For: The Hon. Paul Stein AM, QC (Chairperson), Mr. B. Kirk, Mr. S. McDonald and Mr. P. Moulds AM.

Against: Nil.

The meeting terminated at 1:22 p.m.

Signed:

Chairperson