

ASSESSMENT REPORT – COMMERCIAL DEVELOPMENT S79C – Environmental Planning & Assessment Act 1979

SUMMARY

Application details

DA No:	DA/805/2013
Assessment Officer:	Kate Lafferty
Property:	2 Macquarie Street – Parramatta Lot 362 in DP752058
Proposal:	Demolition of existing buildings, tree removal, removal of bowling greens and construction of a part two storey club and 3 levels of basement car parking
Cost of works:	\$54,835,000
Date of receipt:	6 December 2013
Applicant:	Paynter Dixon Constructions Pty Limited
Owner:	Castle Hill RSL Club Ltd
Submissions received:	6 submissions received
Property owned by a Council employee or Councillor:	No
Political donations/gifts disclosed	No
Council application:	No
Issues:	Nil
Recommendation:	Approval subject to conditions

Legislative Requirements

Zoning:	RE2 Private Recreation
Permissible under:	Existing use rights provisions of the Environmental Planning & Assessment Act, 1979

(A registered club is prohibited in the Private Recreation zoning under the provisions of the Parramatta City Centre LEP 2007)

Relevant legislation/policies:

SEPP 55 (Remediation of Land), SEPP (Infrastructure) 2009, Parramatta LEP2007, Parramatta City Centre Plan DCP 2007, Parramatta DCP 2011, Parramatta Section 94A Contributions Plan

Variations:

Nil

Integrated development:

Yes - The application requires approval under Section 90 of the National Parks & Wildlife Act as the land has been identified as having high Aboriginal sensitivity and may require the granting of an Aboriginal heritage impact permit.

Crown development:

No

Designated development:

No

The site

Site Area:

11,121m²

Easements/rights of way:

The submitted survey indicates easements for electricity purposes within the site

Heritage item:

Yes

In the vicinity of a heritage item:

Yes – Parramatta Park

Site History:

See 'Background' section of this report

DA history

6 December 2013

DA lodged

13 December 2013

Request for additional information:

- DEAP fees & plan copies
- OGHD to be addressed
- Acid Sulfate Soils management plan required
- Arts Plan

	<ul style="list-style-type: none"> ➤ Alignment Plan required ➤ Contamination report required ➤ OSD details ➤ Revised waste management plan ➤ Social Impact Assessment Required
19 Dec 2013 to 18 Jan 2014	DA notified
8 January 2014	Request for additional information: <ul style="list-style-type: none"> ➤ Flood impact assessment
24 February 2014	Additional information submitted (in part)
26 February 2014	DEAP Meeting
28 February 2014	Additional information submitted (in part)
5 March 2014	Request for additional information <ul style="list-style-type: none"> ➤ Address DEAP concerns ➤ Address compliance matters – maximum building height and removal of structures within the setbacks
13 March 2014	JRPP Briefing Meeting
20 March 2014	Further Briefing Report sent to JRPP
31 March 2014	Additional information submitted (in part)
11 April 2014	Meeting with applicant & Office of Environment & Heritage
4 July 2014	Amended plans submitted
20 October 2014	Additional information submitted (in part)

Note: The above does not represent all correspondence and discussions carried out by Council officers and the applicant.

SECTION 79C EVALUATION

SITE & SURROUNDS

The site is located on the north-western corner of Macquarie Street and O'Connell Street on the western fringe of the Parramatta CBD. The site is generally rectangular in shape and has frontage to both Macquarie Street (154.485m) and O'Connell Street (70.79m). The site has an area of 11,121m².

The site falls from the west to the east and north-east.

The site currently accommodates the Parramatta RSL Club, with its clubhouse building located on the western portion of the site and associated bowling greens on the eastern portion (ie. fronting O'Connell Street).

There is minimal vegetation located on the site with some mature and larger trees in the south-western car parking area and smaller trees/shrubs within the southern boundary (i.e. along Macquarie Street). Other mature trees are located directly adjacent to the north-western and northern boundary of the site within Parramatta Park.

There are a number of electricity easements (underground mains and electricity substations) located on the western and north-western side of the site.

The site adjoins Parramatta Park, which is a world heritage listed item. Nearby land uses include commercial premises, shop top housing and car parking facilities.



Location Map

RELEVANT BACKGROUND (PRE-LODGEEMENT)

A pre-lodgement application (PL/32/2013) for the proposed development was considered by the Parramatta Design Excellence Advisory Panel on 17 July 2013. The Design Excellence Advisory Panel made the following comments in relation to the project:

- 1. The proponent is encouraged to prepare a synopsis of the parks historical curtilage and relationship to built form.*

2. *The Panel suggest that a detailed heritage assessment and impact statement should be prepared as a key briefing document.*
3. *The Panel are of the strong view that this site is of the highest significance to Parramatta. A comprehensive urban design and development brief should be prepared to inform a design excellence competition for this site, sponsored by Council in conjunction with the proponent.*
4. *The Panel concur that a building is better sited on the corner of Macquarie & O'Connell Streets than in the existing location.*
5. *The Panel do not support the western half of the site being developed or perceived in any way as car parking.*
6. *The Panel did not feel in a position to comment on the architectural design proposition, other than to observe that it is a competent but conventional interpretation of a contemporary club facility of this type. This site demands far more than this, however!*
7. *The design of the roof for this low scale, diminutive building should be carefully considered, perhaps as a "topographic landscape" that re-instates a sense of the original parks curtilage.*
8. *The Panel feel strongly that the existing height constraints should be re-considered if a higher quality design outcome emerges.*

Planning Comment: The current development application was referred to Council's Design Excellent Advisory Panel who provided comment on the current application. These comments are detailed further under the 'Referrals' section of this report.

THE PROPOSAL

The application proposes the demolition of existing buildings and removal of bowling greens. Approval is also sought for the construction of a part two storey club and 3 levels of basement car parking. The proposal is Integrated Development as an approval is required under the National Parks and Wildlife Act.

Details of the application are as follows:

- Demolition of the existing club building and other minor improvements
- Construction and use of a predominately single level 'hospitality venue' (defined as a 'registered club' under the provisions of Parramatta LEP 2007). The second level is confined to the northern portion of the building and facilitates the operation of an outdoor terrace area.
- The proposal involves a total public area of 2972m² and an additional back-of-house area of 1229m², together incorporating the following areas/facilities:
 - The sub-branch of the RSL, memorial forecourt and eternal flame
 - Bar, lounge and dining room areas including café and bistro
 - Function spaces
 - Outdoor terrace areas, including a roof-top terrace/function area
 - Gaming room area (with an increase in 20 gaming machines)
 - Back-of-house areas, including kitchen, storeroom
 - Amenities and storage areas
 - Administrative office

- Surface and basement parking (totally 635 spaces) consisting of the following:
 - 64 surface spaces located on the western portion of the site, 274 spaces at Basement Level 1, also including back-of-house area and loading dock
 - 146 spaces at Basement Level 2
 - 151 spaces at Basement Level 3
- Roof-top plant area, and function space that involves outdoor and indoor areas and associated kitchen and service areas.
- Retention of site access/egress via Macquarie Street, and removal of the egress via the Parramatta Park internal access road.
- The proposal involves a steel frame structure, natural stone cladding and colourbond roofing as indicated on the architectural plans and perspectives.
- The proposed hours of operation for the venue (reflecting that already approved) are as follows:

Sunday-Wednesday:	10am-11pm
Thursday:	10am-12 midnight
Friday-Saturday:	10am- 1am

Construction/Operation Details:

In order to provide a continued and uninterrupted service to its members, the project will involve a staged construction process. Effectively, the existing facility will continue to trade while part of the existing basement car park (underneath the proposed building) and the new building is constructed. Once, the new building is completed, the existing Club building will be demolished and work on the remaining basement parking and on-grade parking and landscaping will be undertaken.

The existing Club enjoys the use of an existing car park facility on the southern side of Macquarie Street (No.7 Macquarie Street). The applicant has advised that this staged process can be managed in a way that retains the convenience of existing patron and visitor parking.

Cost of works = \$54,835,000



**Photo montage of proposed development
(view from the corner of O'Connell Street & Macquarie Street)**

PERMISSIBILITY

The site is zoned RE2 Private Recreation under the provisions of Parramatta City Centre LEP 2007.

The existing and proposed development is defined as a “registered club” defined as follows:

registered club means a club in respect of which a certificate of registration under the Registered Clubs Act 1976 is in force.

The existing use of the site as a ‘*registered club*’ is currently not a permissible development in the RE2 zone. The site benefits from existing use rights under Section 108 of the Environmental Planning Assessment Act and clauses 41(1)(c) and 44 of the EP&A Regulation.

The RSL was constructed in 1958 and numerous approvals since that time have issued consents for various works (including refurbishments, alterations and additions) to the club. The use was previously defined as a “club” and permissible within the Private Open Space zoning under the provisions of State Regional Planning Policy 28 – Parramatta.

The premises continues to be used as a registered club.

SYDNEY WEST JOINT REGIONAL PLANNING PANEL

The development will be determined by the Sydney West Joint Regional Planning Panel as the cost of development exceeds \$20 million.

The application was considered at the JRPP Briefing Meeting on 13 March 2014. At this meeting the panel members requested further information be provided to address the following matters:

- Concern was raised regarding the amount of parking provided at grade and how this impacts upon the interface with the park. The Panel wanted to know why the applicant has requested the provision of car parking numbers proposed.
- Heritage comments from Council’s Heritage Advisor with respect to the treatment of the interface with the park.

A Further Briefing Report addressing these issues was forwarded to the JRPP Panel Secretariat on 20 March 2014 for distribution to the Panel members. No further comments were received from the JRPP on these matters.

A copy of the JRPP Further Briefing Report is at **Attachment 1**.

EXTERNAL REFERRALS

NSW Office of Environment & Heritage - National Parks & Wildlife Service

The application was referred to the NSW Office of Environment & Heritage (Planning and Aboriginal Heritage) as the proposed development is 'Integrated Development' as defined in Section 91 of the Environmental Planning and Assessment Act 1979. The application requires approval under Section 90 of the National Parks & Wildlife Act as the land has been identified as having high Aboriginal sensitivity and may require the granting of an Aboriginal heritage impact permit.

OEH correspondence dated 24 April 2014 reads as follows:

This letter contains Office of Environment & Heritage's (OEH) general terms of approval for an Integrated Development (development application DA/805/2013) for those known Aboriginal sites which would require an Aboriginal Heritage Permit (AHIP) pursuant to s.90 of the National Parks and Wildlife Act 1974 (the act).

OEH has the following requirements in relation to Aboriginal Cultural Heritage associated with the above development:

- The proponent must ascertain if Aboriginal objects are located within the proposed development area.*
- OEH's preference is that harm to Aboriginal objects is avoided as a result of the proposed development.*
- However, if this is not possible and Aboriginal objects will be harmed as a result of this development, a s90 Aboriginal Heritage Impact Permit (AHIP) must be sought and granted prior to the commencement of works.*
- Consultation with the Aboriginal community undertaken as part of an AHIP application must be in accordance with the Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010.*

Planning Comment: The applicant has been provided a copy of the above advice. A condition requiring compliance with the general terms of approval has been incorporated within the Recommendation section of this report.

Office of Environment and Heritage – Heritage Council

The application was referred to the NSW Office of Environment & Heritage (Heritage Office) as the subject site is identified as having State archaeological significance with exceptional research potential. Heritage Council correspondence dated 19 August 2014 reads as follows:

Based on the information provided, the proposed development would involve the demolition of the current RSL building and bowling greens followed by the construction of a new two story club with three basement levels along the O'Connell Street frontage of the site. This proposal would have a direct impact on any surviving archaeology within the existing site area.

Archaeological assessment of the site indicates that this site was the location of convict allotments and a creek-line in the early nineteenth century (1792-1804), with the land then becoming part of the Government Domain (c.1817) and later, Parramatta Park, with a zoo on the site from 1865-1951). The current RSL club occupation commenced from 1958.

Based on its history, the site is considered to have high archaeological potential and may contain archaeology of State significance. It is noted that in areas of the site, specifically the bowling green's there is approximately 2 metres of fill.

The Heritage Council has previously provided comment that NSW Heritage Council policy for archaeology of State significance is that whenever possible, such resources should be retained in-situ and conserved. The proponent was advised that ideally there should be some flexibility in the design to allow for conservation if an intact and State significant archaeological resource was confirmed to be present at the site. The Heritage Council would like to reiterate that its position on this matter has not changed. It is recommended that if substantial, intact, State Significant archaeology relating to the earliest years of Parramatta's colonial history was discovered at this site, it should be left in-situ.

Artefact Heritage have recommended an open area historical archaeological salvage in tandem with a programme of Aboriginal archaeological test excavation to mitigate the development's acknowledged impact on the archaeology. It should be noted that excavation of any historical archaeology would require an approval under S140 of the Heritage Act 1977 whilst excavation of any Aboriginal archaeology would require an approval under the National Parks & Wildlife Act 1974.

Accordingly, after consideration of the information provided and in light of previous comments from the Heritage Council, the following recommended conditions of consent are offered for your information.

- 1. An excavation permit under Section 140 of the NSW Heritage Act must be submitted to the NSW Heritage Council prior to any below ground works commencing. This application must be accompanied by the Archaeological Assessment and an appropriate Archaeological Methodology and Research Design for the site.*
- 2. Where substantially intact State Significant relics are encountered consideration must be given to amending the development plans to allow for this archaeology to be kept in situ.*
- 3. The Applicant must ensure that at the completion of archaeological works, the results of the archaeological programme are interpreted within the completed redevelopment of the site. This interpretation should help the public understand the history and significance of the site.*
- 4. Throughout on site development works the Applicant must ensure that appropriate signage to explain the history and significance of the site is placed at the site.*

Planning Comment:

The applicant has been provided a copy of the above advice. Conditions reflecting the above matters have

been incorporated within the Recommendation section of this report.

NSW Roads & Maritime Services

The application was referred to the NSW Roads & Maritime Services for comment in accordance with Clause 104 of State Environmental Planning Policy (Infrastructure) 2007. RMS correspondence dated 13 January 2014 reads as follows:

RMS has reviewed the subject application and provides the following comments to Council for its consideration:

- 1. A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to RMS for determination prior to the issue of a Construction Certificate.*
- 2. The swept path of the longest vehicle (to service the site) entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTROADS. In this regard, a plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.*
- 3. The layout of the proposed car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements, aisle widths, aisle lengths, and parking bay dimensions) should be in accordance with AS 2890.1- 2004.*
- 4. The proposed development should be designed such that road traffic noise from adjacent public roads is mitigated by durable materials, in accordance with EPA criteria for new land use developments (The Environmental Criteria for Road Traffic Noise, May 1999). The RMS's Environmental Noise Management Manual provides practical advice in selecting noise mitigation treatments.*
- 5. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to RMS for assessment, in accordance with Technical Direction GTD2012/001. The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by RMS.*
The report and any enquiries should be forwarded to:

*Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.
Telephone 8848 2114
Fax 8849 2766*

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

6. *Any proposed landscaping and/or fencing must not restrict sight distance to pedestrians and cyclists travelling along the footpath.*
7. *All works/regulatory signposting associated with the proposed development are to be at no cost to the RMS.*

Planning Comment: Council's Traffic Section have considered the above matters in their assessment of the application and are satisfied with the proposed development. Appropriate conditions recommended by Council officers and the RMS have been incorporated within the Recommendation section of this report.

NSW Office of Water

The application was referred to the NSW Office of Water given the proximity of the site to the adjoining watercourse. The NSW Office of Water correspondence dated 20 January 2014 reads as follows:

The Office of Water has reviewed documents for the above development application and considers that, for the purposes of the Water Management Act 2000 (WM Act), a controlled activity approval is not required and no further assessment by this agency is necessary for one of the following reasons.

- *The proposed activity is not occurring on waterfront land (which includes (i) the bed of any river together with any land within 40 metres inland of the highest bank of the river, or (ii) the bed of any lake, together with any land within 40 metres of the shore of the lake, or (iii) the bed of any estuary, together with any land within 40 metres inland of the mean high water mark of the estuary).*

Should the proposed development be varied in any way that results in development extending onto land that is waterfront land, or encompassing works that are defined as controlled activities, then the Office of Water should be notified.

No information has been supplied in relation to any temporary dewatering, if there is to be any temporary dewatering of an amount above 3 ML may require a water licence to be obtained from the Office of Water before construction commences.

Please note that the proposal must not incorporate provision for the permanent or semi-permanent pumping of groundwater seepage from below-ground areas. A fully tanked structure must be used.

Planning Comment: De-watering requirements have been included within the Recommendation section of this report as an advisory note. There is no proposed pumping of stormwater seepage as the basement is to be constructed using the "tank method" which will avoid any stormwater seepage.

INTERNAL REFERRALS

Design Excellence Advisory Panel

The application was referred to the Design Excellence Advisory Panel (DEAP) due to the proximity of the building to the world heritage listed Parramatta Park. The Panel held a meeting on 26 February 2014 and provided the following comments:

The Panel is concerned that the previous comments at the meeting on the 17 July 2013 have not been addressed. The Panels comments of that meeting still stand.

Notwithstanding the above, the Panel make the following additional comments;

- The proposed surface car park area on the western half of the site has been retained in the amended proposal. Very little vegetation has been introduced and the vegetation that has been introduced appears arbitrary and does not relate to the structure of the park vegetation.*
- The through site link lacks vitality with blank walls on one side and car parking on the other side. The Panel is also not convinced that the proposed link is appropriately located or required given the size of the street block. If introduced it should align with the pedestrian crossing. The link does not connect to existing or proposed pathway within the park.*
- The Panel is still of the view that due to the significance of the site adjacent to Old Government House, a comprehensive design brief is required for a design excellence competition to explore a number of options and to achieve the best possible outcome for the site.*
- It is essential that any proposal for the site be designed as part of an overall Master plan for the site and the park. The site should not be considered as an isolated urban site, but rather a pavilion in the park with increased landscape setbacks to Macquarie Street and O'Connell Street.*
- A heritage impact assessment needs to inform the use and layout of the site, the design of the building and the relationship of structures to the park.*
- An urban design analysis should also inform the layout of the scheme and how it ought to relate to the surrounding streets, pedestrian movement and open space networks.*

The Panel does not support the proposal in its current form.

In the event that amended plans are submitted to Council to address the concerns of the Design Excellence Advisory Panel the amended plans should be referred back to the Panel for comment.

Planning Comment: The comments provided by DEAP have been addressed by the applicant and Council officers within the table below.

DEAP Comment	Applicant Response	Planning Comment
The Panel is concerned that the previous comments at the meeting on the 17 July 2013 have not been addressed.		
<ul style="list-style-type: none"> The proponent is encouraged to prepare a synopsis of the parks historical curtilage and relationship to built form. 	A detailed site history is contained within the Heritage Impact Statement that was submitted with the application and covers the subject site and broader Old Government House and the Domain, Parramatta Park from the first settlement in 1788 to today.	This has been adequately addressed and reviewed by both Council's Heritage Advisor and the Heritage Office. It is noted that the DEAP had not viewed this document at the time of its meeting.
<ul style="list-style-type: none"> The Panel suggest that a detailed heritage assessment and impact statement should be prepared as a key briefing document. 	A Heritage Assessment and Heritage Impact Statement have been prepared and submitted with the development application.	This has been adequately addressed and reviewed by both Council's Heritage Advisor and the Heritage Office. It is noted that the DEAP had not viewed this document at the time of its meeting.
<ul style="list-style-type: none"> The Panel are of the strong view that this site is of the highest significance to Parramatta. A comprehensive urban design and development brief should be prepared to inform a design excellence competition for this site, sponsored by Council in conjunction with the proponent. 	<p>The applicant concurs that the site is of high heritage significance, which is outlined in the Heritage Assessment Report, the consideration of which has informed the project brief.</p> <p>One of the key considerations from a heritage and urban planning perspective, which has been endorsed and incorporated into the proposed design, is the appropriate relocation of the built form from its present location in the line of sight to the Old Government House forecourt to the corner of Macquarie and O'Connell Streets. Urbis also prepared a Heritage Impact Statement (HIS) to assess the potential impacts of the</p>	The applicant was advised by Council that whilst the RSL could choose to have a design competition, this is not a site that is required to have a design competition under the provisions of the LEP. The draft Conservation Agreement may impose a height limit of 10m, which corresponds to the maximum height of the existing club building. However, additional height for higher quality design through a design competition is not something that is likely be permitted under the Conservation Agreement, given the location of this site within the world heritage buffer area.

	<p>redevelopment on the adjacent UNESCO world heritage listed Domain and Old Government House site as the subject site forms part of the buffer zone. The HIS determined that the proposal would have no impact on the world heritage site and further that it would in fact improve the present circumstance through the relocation of the building. With consideration for the sympathetic nature of the proposal and the Urbis assessment, a design competition is not considered warranted. It is noted that a design competition is not required by the LEP.</p>	
<ul style="list-style-type: none"> • The Panel concur that a building is better sited on the corner of Macquarie & O'Connell Streets than in the existing location. 	<p>No response required.</p>	<p>Noted.</p>
<ul style="list-style-type: none"> • The Panel do not support the western half of the site being developed or perceived in any way as car parking. 	<p>The further revised design, post the original submission, incorporates substantial landscaping to screen the car park from the adjacent park and also reduces the overall car parking numbers provided.</p> <p>Mature trees and a green buffer zone to the perimeter of the site, scattered planning throughout and a green wall to the building achieve a suitable balance between the functions required of the building and successful screening of the built form from the park.</p> <p>Proposed car parking has also been lowered along the northern boundary by 1m to further reduce its impact. The northwest and western boundaries of the car park</p>	<p>The use of part of the site for car parking is not prohibited or discouraged within either the LEP or DCP requirements for this site.</p> <p>The applicant has submitted amended plans which reduces the amount of car parking at ground level and provides for widened areas of deep soil planting along the perimeter of the site. The response is considered acceptable.</p>

	<p>are below that of the park at many points. The car park has also been re-planned to achieve a continuous deep rooted planting zone which visually shields the car park in views from Parramatta Park.</p> <p>The proposed framed pergola which aligns with the internal pedestrian link from Macquarie Street to Parramatta Park also assists in softening the overall built form.</p> <p>Given the sites use as an RSL, some level car parking and vehicular access is required at ground level and the present proposal is supported.</p>	
<ul style="list-style-type: none"> • The Panel did not feel in a position to comment on the architectural design proposition, other than to observe that it is a competent but conventional interpretation of a contemporary club facility of this type. This site demands far more than this, however! 	<p>Changes have been made to the design of the club as a result of the DEAP process, which address concerns raised by the panel.</p>	Noted.
<ul style="list-style-type: none"> • The design of the roof for this low scale, diminutive building should be carefully considered, perhaps as a “topographic landscape” that re-instates a sense of the original parks curtilage. 	<p>The further revised design has amended the roof to be more horizontal and submissive within set height limits. The vertical face to the west elevation of the club incorporates a vertical green wall in conjunction with scattered planting throughout the western edge of the site and a green perimeter further integrating the subject site with the neighbouring park from the park view corridor.</p>	<p>The simple roof form proposed for the development is considered acceptable and does not visually impact upon the world heritage significance of the adjoining Parramatta Park.</p>
<ul style="list-style-type: none"> • The Panel feel strongly that the existing height 	<p>The proposal complies with the 10m height limit which applies across the site and is</p>	<p>This matter has been addressed. Given the 10m height limit provided under</p>

constraints should be re-considered if a higher quality design outcome emerges.	considered appropriate in the context of the adjacent world heritage site. Exceeding the height limit which was established as part of the DEAP review has potential to impact on the world heritage site and it is considered that proposals within the height limit are preferred.	the Draft Conservation Agreement with the Federal Government, the building cannot be raised any higher.
Additional comments:		
The proposed surface car park area on the western half of the site has been retained in the amended proposal. Very little vegetation has been introduced and the vegetation that has been introduced appears arbitrary and does not relate to the structure of the park vegetation.	<p>The further revised design incorporates substantial landscaping to screen the car park from the adjacent park and also reduces the overall car parking numbers. Mature trees and a green buffer zone to the perimeter of the site, scattered planting throughout and a green wall to the building achieve a suitable balance between the functions required of the building and successful screening of the built form from the park.</p> <p>The existing vegetation does not have direct link to the immediate landscaping of the park, as this existing vegetation is not dense enough to provide sufficient screening of the existing or any proposed built form. Dense vegetation is proposed here to screen the built form and car park from all areas of Old Government House and Domain.</p> <p>Proposed car parking has also been lowered along the northern boundary by 1 m to further reduce its impact. The car park has also been re-planned to achieve a continuous deep rooted planting zone which visually shields the car park when viewed from Parramatta Park.</p>	<p>The applicant has revised the ground floor plan and basement plans to increase the amount of deep soil along the perimeter of the site.</p> <p>Council's Tree Management and Landscape Officer and Heritage Advisor have reviewed the amended plans and raise no issues with the proposed integration with Parramatta Park.</p>

	<p>The proposed framed pergola which aligns with the internal pedestrian link from Macquarie street to Parramatta Park also assists in softening the overall built form.</p> <p>Given the sites use as an RSL, some level of car parking and vehicular access is required at ground level to allow full community access and the present proposal is supported.</p>	
<p>The through site link, lacks vitality with blank walls on one side and car parking on the other side. The Panel is also not convinced that the proposed link is appropriately located or required given the size of the street block. If it introduced it should align with the pedestrian crossing. The link does not connect to existing or proposed pathway within the park.</p>	<p>It is a requirement by council urban planners and Western Sydney Parklands that a through site link be provided. The link is placed to be centrally located within the site, in relation to the proposal and to provide access to Macquarie Street, the general flow of pedestrian traffic is east along Macquarie Street, the pedestrian crossing is mainly utilised for access to the RSL carpark which is still optimal in this location. There are no current paths within the park area adjacent to the site to connect this link to, it is provided for future potential connection at the request of Council and Western Sydney Parklands.</p> <p>The site design has also been revised and extensive landscaping and a green wall has been incorporated into the built form adjacent to the through site link.</p>	<p>The site is not identified as requiring a through site link. Notwithstanding this, the plans have been amended to improve the visual appearance of the pedestrian way, including the provision of a more articulated building form, landscaping and a green wall/pergola structure.</p>
<p>The Panel is still of the view that due to the significance of the site adjacent to Old Government House, a comprehensive design brief is required for a design excellence competition to explore a number of options and to achieve the best</p>	<p>The LEP does not call for a design competition for this site and the client does not wish to pursue this recommendation.</p>	<p>The applicant was advised by Council that whilst the RSL could choose to have a design competition, this is not a site that is required to have a design competition under the provisions of the LEP.</p>

possible outcome for the site.		
It is essential that any proposal for the site be designed as part of an overall Master plan for the site and the park. The site should not be considered as an isolated urban site, but rather a pavilion in the park with increased landscape setbacks to Macquarie Street and O'Connell Street.	This recommendation contradicts the verbal advice given by the Panel to remove the narrow strip of proposed landscaping to O'Connell Street and have the building respond more appropriately to the hard CBD edge.	It is noted that previous urban design advice permitted a nil setback to the O'Connell Street and Macquarie Street boundaries. The objective of this was to continue the defined street edge along O'Connell and Macquarie Streets. Setbacks have now been provided in accordance with recommendations by the elected Council to preserve the sandstone wall. The setback as proposed along these streets are therefore considered acceptable.
A heritage impact assessment needs to inform the use and layout of the site, the design of the building and the relationship of structures to the park.	<p>This report prepared by Urbis has been previously provided. That report provided guidelines to inform the proposed redevelopment of the subject Parramatta RSL Club and to mitigate potential impacts to the site and the highly significant Old Government House and Domain which is adjacent.</p> <p>Design guidelines specifically addressed views and built form, site landscaping and the palisade fence as well as materials and colours schemes.</p>	This has been adequately addressed and reviewed by both Council's Heritage Advisor and the Heritage Office. It is noted that the DEAP had not viewed this document at the time of its meeting.
An urban design analysis should also inform the layout of the scheme and how it ought to relate to the surrounding streets, pedestrian movement and open space networks.	The key consideration from a heritage and urban planning perspective, which has been endorsed and incorporated into the proposed design, is the appropriate relocation of the built form from its present location in the line of sight to the Old Government House forecourt to the corner of Macquarie and O'Connell Streets.	This has been adequately addressed and reviewed by both Council's Heritage Advisor and the Heritage Office. It is noted that the DEAP had not viewed this document at the time of its meeting.

It is considered that the issues raised by DEAP have been adequately addressed and do not warrant any further amendment to the proposed development. Council's Heritage Officer has assessed the impacts of the proposed development on the adjoining heritage site and raises no issues with the integration of the development with Parramatta Park. Council's Tree Management and Landscape Officer has also reviewed the proposal and raises no issues with the proposed planting or integration of the site with Parramatta Park from a landscaping perspective.

Further discussions were held with Council's Urban Design Senior Project Officer following the submission of amended plans. The only concern raised was in respect to the treatment of the ground floor car parking area to ensure that the colour does not appear as an expanse of white concrete. The applicant has agreed to further negotiations with Council regarding the appropriate treatment of the surface area (including the consideration of introducing a colour in the concrete if acceptable to Council to soften the surface and the possibility of extending the footpath finish onto the site as a continuation of finishes). This matter has been incorporated as a condition within the Recommendation section of the report.

Heritage Advisor

The application was referred to Council's Heritage Advisor as the site is currently identified as a heritage item and adjoins Parramatta Park, which is a world heritage listed item.

It is noted that Council maps indicate the site is a heritage item, however it is not included in the heritage schedule of Parramatta LEP 2007. This listing is an anomaly as it was automatically included as part of the Parramatta Park curtilage in error. Council has endorsed a planning proposal to remove this property from the LEP heritage map. The site and structures have no heritage significance, except for the original inclusion within the Parramatta Park curtilage.

In respect to the proposed development, Council's Heritage Advisor reports as follows:

In my initial comments I raised the following matters:

- *The car park is of some concern because views across the car park would inevitably be impacted by cars, which will erode the visual experience when observed from that side; however, it is preferred that this area is not built on, and the consequence is inevitably that the car park will be placed in that location. In saying that, the applicant may consider various ways of screening to mitigate the visual impact. For example, the existing stone base fence to Macquarie Street will have to be retained but it is possible to create a low fence or hedging behind the existing significant stone fence. Such hedging should be high enough to mitigate views of the cars but low enough to allow views into Parramatta Park. In my opinion, a mature plant height of 1.2 to 1.5m may be optimal for that purpose.*
- *On a brief review of the car park arrangement, it is fair to say that the layout will likely have to be modified, and this would be an ideal opportunity to improve the interface with the park. That interface could be considerably improved further by*

increasing soft soil areas and landscaped areas. For example, it would be possible to widen the landscaped strips to, say, 2m, which would allow for suitable screening plantings as discussed above.

Having reviewed the available documents and inspected the site, I am satisfied that the interface to the park has been addressed in the latest set of plans, to a satisfactory degree. The amended access and parking arrangements have contributed to this, more favourable solution.

With respect to the retention of the sandstone boundary wall, I have taken into account the following key points:

- The wall has a readily apparent and undisputed heritage significance; however, the NSW OEH clearly indicated that the structures on this site (including the wall) do not exceed local level of significance, and are thus at Council's discretion;*
- On at least two occasions in the recent decades, the Council has allowed small portions of the wall to be removed from the perimeter of this site, in order to facilitate access; and*
- Pedestrian access from the corner is of major importance for this project, and absence of access from the corner would considerably extend not only pedestrian paths, but also egress from the building.*

On balance, it is deemed acceptable to remove a small portion of the wall from the corner, as shown in the plans, however, in all other areas the wall is to be retained in situ. The existing two "gaps" in the wall (created in recent decades) do not have to be reconstructed. However, the elements currently proposed to be removed should be carefully relocated and stored on the site for potential future reuse.

Based on the above, I have no objections to this aspect of the proposal from a heritage perspective.

Planning Comment: No significant issues are therefore raised with respect to the potential impacts on the heritage significance of the adjoining Parramatta Park. A condition regarding the retention of the sandstone wall is incorporated within the Recommendation section of this report.

Landscape and Tree Management Officer

The application was referred to Council's Landscape and Tree Management Officer who reports as follows:

The proposed stormwater plan conflicts with the required tree protection areas of trees located on the boundary and within the Parramatta Park site. The issues have been discussed with the assessing officer and assessing development engineer. The assessing officer shall apply a condition for redesign of the bio retention basin as discussed.

The arborist report and landscape plan indicate removal of trees located on the boundary of the subject site as well as trees located within the adjoining park. Parramatta City Council is not authorised to permit removal of these trees and as such have conditioned the trees to be retained and protected during the demolition and construction process. Tree protection areas along the northern boundary have been reduced due to the presence of existing walls and structures along this boundary.

The provision of a new fence on the correct property boundary has the potential to conflict with existing trees located on the boundary and in close proximity to the boundary. The final fence design which is to be negotiated between the Parramatta Park Trust and the applicant shall be designed so as not to impact the existing trees unless otherwise approved by the Parramatta Park Trust.

The proposed planting palette adjoining the western frontage of the site provides a dense mix of trees, shrubs and ground covers which will benefit the park entrance as much as it does the subject site. The revised landscape plan allows for a greater landscape buffer along the north western corner of the site which can accommodate a scale trees, similar to the surrounding park. Minor species changes to the proposed tree selection have been conditioned to provide consistency with the park.

The width of the landscape buffer to the park is reduced along the north eastern corner of the site where the park may be less frequented. Although reduced, the landscape border will allow for planting of small trees along this boundary which will benefit from the available soil volume in the adjoining park.

The plant species selection within the area of the proposed bio retention basin is required to be modified to ensure that it is appropriate for the planting environment and use which is being created. A revised landscape plan is required to be submitted to the PCA prior to issue of the CC with regard to this issue.

The following trees are proposed to be removed:

Tree No.	Name	Common Name	Location	Reason
1-7	<i>Syagrus romanzoffianum</i>	Cocos Palm	Refer to arborist report	Exempt PCC DCP. To be removed and replaced
8	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Refer to arborist report	Located in close proximity to driveway.
9	<i>Corymbia citriodora</i>	Lemon-scented Gum	Refer to arborist report	Located within the proposed building footprint
10	<i>Eucalyptus elata</i>	River Peppermint	Refer to arborist report	Located within the proposed building footprint
11	<i>Cyathea australis</i>	Tree Fern	Refer to arborist report	Located within the proposed driveway
12-13	<i>Chamaecyparis obtusa</i>	Hinoki Cypress	Refer to arborist report	Low amenity value. To be removed and replaced.

15	<i>Cupressus torulosa</i>	<i>Bhutan cypress</i>	<i>Refer to arborist report</i>	<i>Low amenity value. Remove and replace with more appropriate landscape specimen.</i>
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Planning Comment: The recommended conditions of Council's Landscape and Tree Management Officer are incorporated within the Recommendation section of this report.

Traffic & Transport Service Manager

The application was referred to Council's Traffic & Transport Service Manager who raises no objection to the proposed development subject to the imposition of appropriate conditions. It is noted that LEP2007 has no requirements or controls regarding the appropriate number of car parking spaces for entertainment venues or clubs. The supply of parking spaces is likely to be in excess of the demand from the club, and as a result, club membership may become popular amongst CBD workers as a way of obtaining all day parking during business hours. Notwithstanding this, the excess supply of parking may be beneficial as there is a shortage of all day parking in the area and Council is considering expansion of the Hunter Street car park.

It is also noted that the club is on the City Ring Road, thereby minimising the adverse impacts of traffic generation associated with the parking. No objection is raised to the proposal in regards to traffic generation.

Planning Comment: The recommended conditions of Council's Traffic & Transport Investigations Engineer are incorporated within the Recommendation section of this report.

Development Engineer & Catchment Engineer

The application was referred to Council's Development Engineer and Catchment Engineer who report as follows:

Discussion in terms of Flood Related Issues:

The property is affected by the 1 in 20 year flood, 1 in 100 year flood and Probable Maximum Flooding (PMF). Due to the flood affectation and the close proximity of the existing open channel leading to the Parramatta River, a "Flood Impact Assessment" Report was submitted to Council. Council assessed the flood report and flood compatible measures such as floor levels and ramp crest level, have been incorporated to minimise the flood impacts in the vicinity of the development.

A site based flood emergency response plan including flood warning system and detailed evacuation plan shall be implemented and maintained during the life cycle of the development. It is not practical to design the basement ramp entry point to be above the PMF level. Therefore, the best way of managing the flood situation closer to the PMF is by way of installing a flood gate at the crest of the basement car park ramp, providing adequate warning signs and making the occupants aware of

flooding. An appropriate condition will be included to comply with these requirements.

Due to the close proximity of the Parramatta River, the proposed basement can receive seepages if the basement walls are not water tight. Therefore, a special condition will be imposed to construct the perimeter walls of the basement using "Tank Construction" method.

Stormwater Disposal:

The drainage system can be conditioned subject to conditions.

Basement Car Parking:

As part of this development application, the two Council stormwater pipes crossing the existing bowling area will need to be converted into a box culvert. Council's Development and Catchment Engineer are satisfied with the proposal as indicated on the submitted plan subject to conditions.

Easements:

A 3.0m wide easement is to be created over the proposed box culvert in favour of Council for future maintenance access. Access will be available via manholes within the basement.

Conclusion:

The proposal satisfies the requirements of Council's controls and can be supported, subject to standard and special conditions of consent.

Planning Comment:

The recommended conditions of Council's Development Engineer and Catchment Engineer are incorporated within the Recommendation section of this report.

Arts Planner

The application was accompanied with an Arts and Cultural Plan. The application was referred to Council's Arts Planner who reports as follows:

At this stage Council is satisfied with the intent of the Arts Plan. The historical, interpretive and cultural site analysis identifies the key elements of the history of the area and strong historical themes including the influences from the adjacent site of Parramatta Park.

The concepts presented, along with the intent of the work, an anticipated positive interaction from the public, the strong placement of the work, and suitable scale, gives a strong insight into the relevant and appropriate themes within the context of its site.

In regards to the concepts presented, A) 'Decoration Colours', B) 'Glowing Memory' and C) 'In Flanders Fields' all have merit, being highly iconic and relevant to the site and historical impact of the area. All ideas have strong thematic links with the site, however we do note in review of the plan the potential of the taller large-scale

version of the work inspired by the Poppy theme and 'In Flanders Fields' suggested in the concept development section could be quite beautiful.

In particular if the works have a large scale and height and integrate well with the water feature and lighting, this could become iconic from an interpretive, public art and placemaking perspective.

With the above in mind, colour, scale, placement and lighting of the work, plus incorporation with the suggested water feature will be critical to realise the finished public art work.

Some reassurances will be needed that the Arts Plan will be implemented and artworks installed prior to occupation of the site by the client, as required in the conditions of consent.

Planning Comment: The recommended conditions of Council's Arts Planner are incorporated within the Recommendation section of this report.

Social Outcomes

The application was accompanied with a Social Impact Assessment which considers the potential social impacts and benefits associated with the proposal, and outlines measures to mitigate negative impacts and maximise benefits. The application was referred to Council's Social Outcomes Officer who reports as follows:

Social Outcomes Summary

Specific local stakeholders who are likely to be positively impacted by the development are:

- *Members of the Parramatta RSL Club*
- *Local residents*
- *Local workers*
- *Local businesses,*
- *Users of Parramatta Park*

Specific stakeholders who are likely to be negatively impacted by the development are:

- *Members of the Parramatta RSL who feel strong deep connections to the history and original intent of the club*
- *Members of the Parramatta RSL who use the bowling greens for recreation, leisure and social purposes*

The main potential benefits of the proposed development for individuals include:

- *Opportunity to engage in more entertainment and hospitality activities locally to support individual social, recreation and leisure goals*

The proposed development is likely to benefit the City through the following:

- *Increased entertainment offerings for local workers which adds to the City's capacity to attract businesses to locate in Parramatta*

- *Potential to increase economic benefits for local businesses through flow on effects of increased patronage in the area*
- *Increase in Parramatta City's entertainment and dining offering which builds a sense of activation, vitality and influences reputation as an entertainment destination.*

The main potential negative impacts are likely to be:

- *Increased traffic particularly at peak times and during events and loss of outdoor activity space due to the removal of the bowling green*
- *Increase in gaming machines and gambling opportunities.*

The intent to increase gaming machine numbers by 20 is noted. Collectively gaming machines are known to create significant financial and psychological issues for some individuals and families, and this also has significant costs to communities. The increase in machines by 20 is small and unlikely to make any further significant impact on the community than that which already exists from the current 125 machines in the RSL club, or the 488 that are accessible at the Parramatta Leagues Club venue nearby.

The SIA report acknowledges the potential impacts listed above and has identified reasonable mitigation strategies.

It is recommended that DTSU seek further advice from PCC staff regarding traffic and transport issues, as well as safety issues and the monitoring of liquor and gaming licenses.

If development services support the proposal, it is recommended that the conditions of consent mandate the items listed below. This would help to minimise the potential negative impacts as much as possible for the key local stakeholders that are likely to be most affected:

- *Documented process and procedures in place to minimise and manage construction impact.*
- *Documented process and procedures for the general public and other key stakeholders (including local residents, businesses and workers) to report concerns with club operations should they arise.*
- *Specific program of activities and transport options for Club members/guests to meet the needs of people aged 65 years and over who use the facility, and particularly those who have lost their form of recreation on the bowling greens*
- *Clear plans for recognition of the cultural heritage and history of the RSL movement within the context of the new building design/site and content programming.*

Planning Comment:

The above matters raised by Council's Social Outcomes Officer have been addressed within the Recommendation section of this report. It is noted that the applicant has incorporated the cultural heritage and history of the RSL within the design, including the memorial forecourt with the eternal flame and public art.

Community Crime Prevention Officer

The application was referred to Council's Community Crime Prevention Officer who reports as follows:

I have reviewed the documentation supplied by the applicant regarding this proposed development application including the Crime Prevention Assessment. I agree with the recommendations contained in that report, however, some clarification is required regarding the quality and standards for the CCTV system to be utilised. I make the following recommendations:

- a. The applicant be required to have in place an approved plan of management, prior to the issue of an Occupation Certificate. The Plan of Management is to be approved by the Council's Crime Prevention Officer. Any future proposed changes to the approved Plan of Management must be submitted to Council for approval.*
- b. Licensee is to be an active member of the Parramatta Liquor Accord. This means the licensee is obliged to attend at least 75% of all meetings of the accord annually.*
- c. No person wearing any form of clothing, jewellery or other accessory, displaying or indicating by form of wording, colours, logo, symbol or otherwise that they are members of or are in any way associated with; (Bandidos, Black Uhlands, Coffin Cheaters, Comanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Highway 61, Life & Death, Lone Wolf, Mobshitters, Nomads, Odins Warriors, Outcasts, Outlaws, Phoenix, Rebels, Hells Angels, Scorpions, Notorious) or a declared organisation as defined in the Crimes (Criminal Organisations Control) Act 2012 any be allowed entry into, or be permitted to remain on the licensed premises.*

Planning Comment: The Community Crime Prevention Officer has also requested that the CCTV system be compliant with requirements in Australian Standards AS4806 and has recommended conditions to be imposed. These requirements and the matters listed above are included within the Recommendation section of this report.

Environmental Health Officer

The application was referred to Council's Environmental Health Officer to review the application in terms of regulated food premises, acoustic impact and contamination. Council's Environmental Health Officer reports as follows:

General *As the proposal is for a licensed premise the Office of Liquor Gaming & Racing will be responsible for setting and enforcing music and patron noise restrictions. Council will be responsible for controlling other potential noise sources such as mechanical plant. All potential noise sources have been discussed in the Environmental Noise Impact Statement. Standard and special conditions can be applied to control noise from the proposed venue. Standard conditions can be applied to ensure food safety standards. The proposal satisfies the requirements of Council's*

controls and can be supported, subject to standard and special conditions of consent.

Contamination *The environmental site assessment for land contamination concludes that the potential for contamination is low and that any unexpected contamination finds will be dealt with in accordance with EPA requirements. The assessment satisfies the requirements of Council's controls and can be supported.*

Planning Comment: The recommended conditions of Council's Environmental Health Officer are incorporated within the Recommendation section of this report.

Waste Management Officer

The application was referred to Council's Waste Management Officer who reports as follows:

As requested, the applicant has provided an updated waste management plan for the use of the site detailing the existing services in place and how they will operate within the new development. This includes the amounts and types of waste to be generated, the location of the bin storage areas, the private collection company details and the frequency of collection. This application can be supported using standard conditions of consent.

Planning Comment: The recommended conditions of Council's Waste Management Officer are incorporated within the Recommendation section of this report.

Civil Assets/Urban Design (Alignment Plan)

The application was referred to Council's Urban Design Unit and Civil Assets Unit who considered the Alignment Plan submitted with the application. The following comments were received:

Civil Assets *I have reviewed the plans and the applicant will need to make improvements to the levels along the Macquarie Street frontage to ensure that footpath grades do not exceed 2.5%.*

Council has recently completed footpath upgrade works along the O'Connell Street frontage and this should not be disturbed during the development construction.

The applicant should also be conditioned to construct matching footpath (as per PDG) along the entire Macquarie Street frontage.

Urban Design *Urban Design notes that the survey along O'Connell Street is out of date. A current survey of the footpath and surrounding*

public domain context is required as part of alignments assessment.

Urban Design concurs with Civil Assets comment that the footpath along O'Connell Street frontage has recently been upgraded and should not be disturbed during construction. The Applicant is to make good any damage to the existing footpath along O'Connell Street incurred during site works.

Urban Design concurs with Civil Assets comment that the Applicant must improve the levels along the Macquarie Street frontage to comply with Public Domain and should remake the footpath on Macquarie Street frontage to match the O'Connell Street treatment as per the Public Domain Guidelines.

*Street trees are required as per the Street Tree Master Plan and Public Domain Guidelines; to comply with DS39. Species to be *Flindersia australis* on Macquarie Street and *Platanus orientalis* 'Digitata' on O'Connell Street as indicated by PCC Street Tree Master Plan.*

Planning Comment: There are a few minor modifications required regarding cross falls and paving however these matters can be imposed as conditions on the consent. A condition requiring a final revised Alignment Plan is therefore incorporated within the Recommendation section of this report. A Public Domain Plan is also required to be submitted which will include the paving and street tree requirements as discussed above.

PUBLIC CONSULTATION

In accordance with Council's Notification DCP, the proposal was advertised and owners and occupiers of surrounding properties given notice of the application for a 21 day period between 19 December 2013 and 18 January 2014 (with submissions being accepted until Monday 20 January 2014). In response, six (6) submissions were received. The issues raised within these submissions are discussed below:

SUBMISSION 1 Parramatta Park Trust

The Parramatta Park Trust had initially raised issues with the proposed development, including continued vehicular access through the park and boundary fencing. These issues were discussed through telephone conversations with the assessing planner.

The applicant carried out extensive consultation with the Parramatta Park Trust to resolve issues raised and submitted amended plans which addressed some of the issues. The Parramatta Park Trust was provided the opportunity to review the amended plans and provide their submission comments on the amended plans. The

submission states that the Trust in principle supports the redevelopment of the site. The issues raised within that final submission are as follows:

Setback to Park Boundary

Concerns are raised that there is insufficient setback to the north-eastern boundary for planting to grow and survive.

Planning Comment: Tree species including Chinese Elms and Claret Ashes are proposed to be planted along this boundary. Council's Tree Management and Landscape Officer advises that there is sufficient area within this setback to accommodate these plant species.

It is considered that the timber terracing provides for a suitable landscaping transition to the park, and whilst there is restricted planting proposed, it is located towards the front of the site (facing O'Connell Street) and assists in activating the public space. Sufficient landscaping is provided to the remainder of the park boundary.

Landscaping

Seek to ensure there is sufficient deep root planting and shrub planting around the boundary with the park. Would like to see better buffer planting along Macquarie Street to the car park. Requests all existing vegetation relates to the park vegetation. Park trees are to be protected during construction.

Planning Comment: The applicant has amended the plans to provide for a wider strip of perimeter deep soil planting along the majority of the boundary with the adjoining park. Sufficient landscaping has been provided to the Macquarie Street frontage with landscaping beds ranging in width from 1.2m to 4m.

It is difficult to provide for vegetation that relates to the park as the park contains a mixed variety of trees (both native and exotic) and grass. It is considered that the proposed landscaping incorporates a suitable mixture of trees in addition to shrub and grass levels. The proposed landscaping represents a significant improvement to the current vegetation status and connection to the park and will not detract or adversely impact upon the landscaping of the park.

Trees adjoining the site will be protected during construction in accordance with the requirements of the submitted arborist report.

It is noted that the Trust is supportive of the green wall along the northern elevation and the improved linkage to the park.

Proposed Ground Level

The Trust acknowledge that the amended plans have lowered the north and east sections of the building which is more integrated with the Park.

Planning Comment: Noted.

Boundary Fencing – Old Palisade Fence

It is considered appropriate that the old palisade fence be upgraded and restored as an important public domain element that complements the area.

Planning Comment: It is agreed that the palisade fence should be upgraded. Council's Heritage Advisor also supports the restoration of the heritage fence and details of the restoration are required to be submitted before the issue of a Construction Certificate.

Boundary Fencing – New Palisade Fence

The boundary fencing with the park is to be steel palisade on a sandstone block and the design is currently under review with the Office of Environment and Heritage. The construction of this fence should be conditioned on the consent and the Trust consulted on the design and details.

Planning Comment: The applicant is aware of the preferred fencing style which has been discussed with the Trust. Examples of the fencing have been submitted to the Council. It is noted however that the plans submitted indicate a metal palisade fence is to be constructed. This fence would not impact upon the trees within the vicinity of the boundary. A fence containing a stone base has the potential to impact upon the existing trees along the western boundary of the site through footings and pier excavation. The construction of this fence is in the negotiation stage and will require further assessment. A condition has been imposed requiring fencing details to be provided for Council's approval before the issue of a Construction Certificate. The final design will need to be negotiated with the Parramatta Park Trust and the Office of Environment and Heritage. The fencing details are to be accompanied with an arborist report. It is noted that any additional trees that may be required to be removed to accommodate any fencing may require further approval. The need to remove trees however is dependent upon the type of fencing that is proposed.

Northern Entrance/Gates into the Park

The Trust is supportive of the stairs and ramp access to the park. The gates should be integrated into the fence design and should not open out into the park. They question how the closing of this access will be managed so as not to frustrate park users.

Planning Comment: Conditions are included within the Recommendation section of this report regarding the above matters. It is considered that a suitable sign be placed on the gates advising the public of when the gates are open.

Vehicle Exit from the Site into the Park

The Trust does not support any vehicular access into the Park.

Planning Comment: Following discussions between the applicant and the Parramatta Park Trust, all vehicular access from the site to the park was removed. This is indicated on the amended plans.

Headwall and Trash Rocks

Further information is requested with respect to the upgrade works to the stormwater system that impact upon the park. All stormwater works must be contained within the RSL site boundary.

Planning Comment: Detailed stormwater plans were submitted with the application and available for public viewing. Some minor works are required within the park for the upgrade of Council's infrastructure. This involves a small section approximately 0.5m long into the park where 3 pipes will be replaced with a box culvert to adjoin the existing headwall and trash rocks (which will remain). The Trust have acknowledged minor works (such as the new box culvert) and raise no concerns except for access permission through their land. The applicant will need to obtain permission from the Trust for access during construction.

Utility Services

All infrastructure works and services should be contained wholly within the boundary of the RSL site.

Planning Comment: With the exception of the minor stormwater works outside of the boundary related to Council assets, no other works would be permitted on the park land. Standard conditions have been incorporated within the Recommendation section of this report. A condition to this effect has been incorporated within the Recommendation section of this report.

During Construction

No access is to be permitted through the park during construction, unless prior approval from the Trust is obtained.

Planning Comment: This matter has been incorporated within the Recommendation section of this report.

SUBMISSION 2

National Trust of Australia

Use of Car Parking Station

Concern is raised that the existing car parking station on the eastern side of O'Connell Street may become redundant and available for redevelopment. Request that a condition or legal control be imposed precluding redevelopment of this site.

Planning Comment: It is assumed that the objector is referring to the RSL's current parking station located at 7 Macquarie Street. This building does not form part of the development application, however it is recognised that the RSL may or may not continue to use the site for parking in the future. Council officers cannot recommend the preclusion of this site for redevelopment in the future not only because it does not form part of the current application, but because there is no legal reason, or means to do so.

SUBMISSION 3

Deerubbin Local Aboriginal Land Council

Contact with the Applicant

The Deerubbin LALC requested the Council advise the applicant to contact them to arrange for the LALC to conduct an Aboriginal cultural heritage assessment.

Planning Comment: In response to this this, the following is noted:

- Council officers forwarded a copy of the Aboriginal Archaeological Assessment to the Deerubbin LALC on 8 January 2014.
- A copy of this correspondence was forwarded to the applicant on 8 January 2014. The applicant has advised that they did contact the submitter and general discussions were held.
- A further email was forwarded to the Deerubbin LALC on 17 July 2014 requesting any further concerns or comments. No correspondence has been received to date.

SUBMISSION 4

27/1 Macquarie Street – Parramatta

Construction Impacts

The occupants of this residential unit are concerned with the potential impacts associated with construction works. This includes construction vehicles parking on the road, in front of private driveways, noise and construction hours.

Planning Comment: It is acknowledged that the redevelopment of the site will cause some nuisance to surrounding properties. Conditions are included within the Recommendation section of this report to minimise impacts during

construction. Conditions relate to hours of construction, noise, dust and parking of construction vehicles.

Traffic Impacts

Concern is raised with the potential traffic hazards on the corner of Pitt Street and O'Connell Street and the corner of O'Connell Street and Macquarie Street.

Planning Comment: Council's Traffic section have advised that as part of the ring road improvement strategy, these intersections will be reviewed to identify traffic measures that will further improve vehicular safety.

SUBMISSION 5

6 Cornock Avenue – Toongabbie

Overshadowing

Concern is raised that the proposed development will overshadow and alienate the adjacent area of Parramatta Park.

Planning Comment: The proposed building has a maximum building height of 10m and given its location to the south of the park, the majority of shadows are cast upon the subject site itself, or the road. There is no additional overshadowing of the park.

Non-compliance with the Intention of the Site

Concern is raised that the proposed development does not comply with the intention of the original grant of land allocated for a war memorial for the people of Parramatta.

Planning Comment: The existing club was constructed after the grant of land. The proposed development provides for a new club facility which has the same land use as it has had since its construction in the 1950s. The use of the land is not changing.

Serving of Alcohol

Concern is raised that the serving of alcohol to "our old diggers" is inappropriate.

Planning Comment: As mentioned above, the use of the land is not changing. Staff at the club are required to undergo appropriate Responsible Service of Alcohol (RSA) training to assist in managing alcohol consumption on the site. Council's Social Outcomes Officer has reviewed the application and raises no concerns with this issue.

Removal of Bowling Greens

Concern is raised with the removal of the bowling green and replacement with a building which will result in the loss of "green" integration with Parramatta Park.

Planning Comment: The bowling greens do not provide an appropriate integration with the Park. The Design Excellence Advisory Panel have supported the relocation of the building bulk from the western side of the site (existing) to the eastern side of the site (proposed). This provides for an improved integration with Parramatta Park by moving the building bulk away from Old Government House.

Height

Concern is raised that the increase in height will impact upon the useability of Parramatta Park.

Planning Comment: The proposed development is lower in height than the current RSL building on the site. The proposed height complies with the 10m height restriction on the land.

Parking and Traffic

Concern is raised that the proposed development will cause a major traffic hazard for pedestrians and park users.

Planning Comment: Amended plans have been received that remove the direct vehicular access to Parramatta Park. This will avoid direct conflict with vehicular and pedestrian users of the park. The application was referred to Council's Traffic Services who raise no objection to the proposed development from a parking or traffic perspective.

Suitability of the Development

Concern is raised that the nature of the development is unsuitable for this location, particularly with respect to the loss of views from and towards the park.

Planning Comment: The world heritage listing of Parramatta Park has been considered in the assessment of the application. The Federal Government have agreed to the 10m height limit and setback requirements for this site. It is considered that the application complies with the relevant controls for this site and will not impact on the heritage views or heritage significance of Parramatta Park.

SUBMISSION 6

1 Anulla Place – Wahroonga

General

The submitter supports the removal of the existing buildings as they have a negative impact upon Parramatta Park.

Planning Comment: Noted.

Design Excellence

The proposal does not exhibit design excellence as there is insufficient landscaping around the building, there is insufficient setbacks to O'Connell Street, the building is

of poor design, the building overwhelms O'Connell Street, the 19th century line of tall trees should be extended along O'Connell Street.

Planning Comment: It is considered that the proposed building is an acceptable design and has taken into account the impacts upon the adjoining Parramatta Park and the streetscape. Council's technical specialists have reviewed the application and raised no concerns with the building design or landscaping proposed for the building. The setbacks are consistent with the requirements of DCP2011. Details regarding street tree planting and pedestrian mobility and treatment will be provided within the Public Domain Plan required to be submitted before the issue of a Construction Certificate.

Setbacks

The 9m setback along the park boundary is not consistent.

Planning Comment: The proposed building complies with the 9m setback control indicated within the amended DCP2011.

Front Palisade Fence

Concern is raised with the proposed conservation and restoration of the iron palisade and stone base fence. The corner section should be retained and the straight sections of fencing should be removed. The design of the pedestrian access should read as a new gate, not just a section removed. The existing fence should not be used as a garden edge or retaining wall given the impacts on structural stability.

Planning Comment: Council's Heritage Advisor has raised no objection to the works proposed on the boundary fence, landscaping or the location of the access entry. It is however acknowledged that the removal of the corner element of the fence is less preferable from a heritage perspective and further negotiations will be held with the applicant once details are submitted before the Construction Certificate. It is considered that the corner access provides for a more central location for this corner site and aligns with the tram ramps on the street crossing. A condition is included within the Recommendation section of this report requiring details of the fence modification and restoration (including details of the treatment to avoid impacts of humidity) before the issue of a Construction Certificate.

Vehicular access through Parramatta Park

Concerns are raised with respect to the impacts relating to the continued use of the vehicular access through Parramatta Park.

Planning Comment: The application has been amended to remove this vehicular access.

Car Park Landscaping

Concern is raised that there is insufficient landscaping within the car park.

Planning Comment: The applicant has submitted amended plans which increase the amount of deep soil around the perimeter of the car park. Additional trees have also been incorporated within the car park area.

Archaeological Significance

This site has the potential for archaeological resources and a comprehensive archaeological plan is required.

Planning Comment: This issue has been addressed with the Office of Environment and Heritage. An excavation permit will need to be submitted before any works below the ground level. Appropriate conditions have been incorporated within the Recommendation section of this report.

Amended Plans

Yes

Summary of amendments

The plans were modified to primarily reduce the height of the building to comply with the 10m height restriction on the site, reduce car parking and increase the landscaping and deep soil zones on the ground floor.

Amended Plans re-advertised or re notified

No

Reason amendments not renotified

In accordance with clause M entitled "Notifications of Amended Development Applications Where The Development Is Substantially Unchanged" of Council's Notification Development Control Plan the application did not require re-notification as the amended application is considered to be substantially the same development and does not result in a greater environmental impact.

ENVIRONMENTAL PLANNING INSTRUMENTS

CONSERVATION AGREEMENT

The Parramatta RSL club site at 2 Macquarie Street, Parramatta is located within the Park Edge Special Area identified under DCP2011 (as amended).

The Park Edge Special Area is located at the western edge of the Parramatta city centre adjacent to and including part of Parramatta Park. Buildings within this area form a backdrop to Parramatta's Old Government House and Domain (OGHD).

OGHD is one of eleven sites in a group forming the Australian Convict Sites on the UNESCO World Heritage List. OGHD is also on the National Heritage List.

The Park Edge (Highly Sensitive) Area has been identified in the study Development in Parramatta City and the Impact on Old Government House and Domain's World

and National Heritage Listed Values, Planisphere 2012, as an area where development is likely to have a significant impact on the world and national heritage values of OGHD, unless it is designed to mitigate potential impact to below a significant impact threshold.

In this study, the key determinants of whether development will have a significant impact on the world and national heritage values of OGHD are the view sheds of the highly significant views from and of OGHD, the proximity of the development to OGHD and topography. The layering of these three elements makes development within the Park Edge Special Area likely to have a significant impact.

Under the Commonwealth Environment Protection and Biodiversity Conservation (EPBC) Act, 1999, development that is likely to have a significant impact on the world and national heritage values of OGHD must be referred to the Australian Government Department of Sustainability, Environment, Water, Populations and Community for approval from the Australian Government Environment Minister.

As this requirement has led to uncertainty and additional assessment processes, Council has worked with the Commonwealth and State Governments to enter into a Conservation Agreement. This agreement is made under the EPBC Act and removes the need for Commonwealth referrals of developments within the Park Edge (Highly Sensitive) Area under the EPBC Act, as long as the proposed development complies with the specified planning controls in the agreement. Compliance with these specified planning controls will mitigate significant impacts of development on the values of OGHD under its world and national heritage listing.

The planning controls include the applicable maximum building height and floor space ratio controls under the City Centre LEP 2007 (Amendment 8). They also include the DCP controls outlined in the amended DCP 2011. When these controls are complied with, development applications do not need to be referred to the Commonwealth Government for approval under the EPBC Act.

It is noted that the Conservation Agreement is in a draft form only and has not as yet been signed by the relevant parties. Notwithstanding this, the proposed development complies with the abovementioned LEP and DCP controls and therefore does not need to be referred to the Commonwealth Government. Compliance with these controls is discussed further within this report.

STATE ENVIRONMENTAL PLANNING POLICY 55 – REMEDIATION OF LAND

The provisions of SEPP No. 55 have been considered in the assessment of the development application. The site is not identified in Council's records as being contaminated. Further, the site does not have a history of a previous land use that may have caused contamination and there is no evidence that indicates the site is contaminated. Notwithstanding this, the application was accompanied by a Stage 1 Environmental Site Assessment prepared by Environmental Investigations Australia. This report concludes as follows:

In view of the historical activities and site walkover inspection, Areas of Environmental Concern (AECs) were considered subject to potential soil

contamination. These areas comprised of the western part of the site where driveways and parking areas were identified (AEC1); the historically observed neighbouring service stations during the 60's to 90's (beyond O'Connell Street and Macquarie Street) (AEC2); and the entire site where potentially imported fill of unknown composition may have been used for site leveling purposes (AEC3).

The likelihood of contamination was considered to be low. Since the site will be excavated down to depths of at least 6m BGL for the proposed multi-level basement, all fill soils within the basement footprint will be excavated and disposed offsite.

In view of the findings of the Stage 1 ESA, it was concluded that the site soils present a low risk to human health, the environment or the aesthetic enjoyment of the land, and is suitable for the proposed commercial use.

The ASS Management Plan should be followed during the works for the proposed commercial redevelopment. In the event that soil contamination (eg. odours or coloured and/or oily residues), is intercepted at any time during the proposed works, excavation in that area will temporarily cease. The area shall be isolated with mobile barricades and the principal environmental consultant notified. Representative samples will be screened for VOCs using a PID and analysed according to the EPA (1995) Sampling Design Guidelines and EPA (1994) Minimum Soil Sampling Protocol for suspected contaminants.

Should site soils require excavation and disposal from the site, then these soils should be classified in accordance with the DECCW (2009) Waste Classification Guidelines and disposed to an approved landfill facility. Any soils to be imported onto the site for the purpose of back-filling excavated areas will also require validation testing following the EPA (1995) Sampling Design Guidelines to confirm their suitability for the proposed land use.

The above matters have been included within the Recommendation section of this report.

Accordingly, the development application is satisfactory having regard to the relevant matters for consideration under SEPP 55.

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

The provisions of SEPP (Infrastructure) 2007 have been considered in the assessment of the development application.

Clause 45 – Impacts on Electricity Transmission or Distribution

The application was referred to Endeavour Energy in accordance with Clause 45 of State Environmental Planning Policy (Infrastructure) 2007 as the subject site contains electricity easements through the property. These easements are for electricity mains and substations and are located primarily on the north-western corner and western side of the site. No correspondence from Endeavour Energy has been received to date. The applicant has advised that these easements are to be extinguished and new easements created. New transformers will be located on site and the easements are envisaged to run along the pedestrian access from

Macquarie Street to Parramatta Park. Notwithstanding this, a condition is included within the recommendation section of this report requiring consultation with Endeavour Energy before the issue of a Construction Certificate.

Clause 101– Frontage to a Classified Road

O'Connell Street is a Classified Road. Accordingly, Clause 101 of the SEPP applies to the proposed development, requiring the consent authority to ensure that:

- (a) where practicable, vehicular access to the land is provided by a road other than the classified road, and
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
 - (i) the design of the vehicular access to the land, or
 - (ii) the emission of smoke or dust from the development, or
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

In response, the following comments are made:

- (a) vehicular access to the site is to be provided off Macquarie Street, which is not a classified road
- (b) the safety, efficiency and ongoing operation of O'Connell Street will not be adversely affected by the development having regard to the criteria outlined by Clause 101(2)(b)
- (c) the proposed use as a club is not a sensitive land use.

Traffic-generating development

The proposed development is deemed to be traffic generating development under Schedule 3 of the SEPP as it involves a licensed premises with 200 or more vehicles with access to any road. The application was referred to the NSW Roads & Maritime Services who raised no objections to the proposed development. Detailed comments of this correspondence is contained within the 'Referrals' section of this report.

STATE ENVIRONMENTAL PLANNING POLICY 64 – ADVERTISING & SIGNAGE

The application does not propose the display of any new signage.

STATE ENVIRONMENTAL PLANNING POLICY – BASIX

The application for the club premises does not require the submission of a BASIX certificate. Clubs are not defined as a **BASIX affected building** under the provisions of the Environmental Planning and Assessment Regulation 2000.

SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005 (DEEMED SEPP)

The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP.

The Sydney Harbour Catchment Planning Principles must be considered and where possible achieved in the carrying out of development within the catchment. The key relevant principles include:

- protect and improve hydrological, ecological and geomorphologic processes;
- consider cumulative impacts of development within the catchment;
- improve water quality of urban runoff and reduce quantity and frequency of urban run-off; and
- protect and rehabilitate riparian corridors and remnant vegetation.

The site is within the Sydney Harbour Catchment and eventually drains into the Harbour. However, the site is not located on the foreshore or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development. The development is consistent with the controls contained within the deemed SEPP.

PARRAMATTA CITY CENTRE LOCAL ENVIRONMENTAL PLAN 2007

The relevant sections of the Parramatta City Centre Local Environmental Plan 2007 as they may relate to the proposed development are addressed as follows:

Aims and Objectives

Notwithstanding the proposal benefits from existing use rights, the proposed development is generally consistent with the aims and objectives of the RE2 Private Recreation zoning applying to the land. The proposal enables the land to be used for recreational purposes, provides for a recreational setting and conserves the heritage significance and values of Parramatta Park and its setting, including significant views.

Height of Buildings (Clause 21)

There were no height restrictions on this site at the time the application was lodged. Amendment 8 to LEP 2007 later restricted the height of buildings on this site to a maximum of 10m, which the application complies with.

Architectural Roof Features (Clause 21A)

Clause 21A allows architectural roof features to extend beyond the height limit prescribed by Clause 21. No architectural roof features extend beyond the maximum height permissible and therefore the application complies with this requirement.

Floor Space Ratio (Clause 22)

There are no floor space ratio restrictions for this site.

Minimum Building Street Frontage (Clause 22A)

There are no minimum street frontage requirements for sites within the RE2 zone.

Design Excellence (Clause 22B)

Clause 22B requires the consent authority to consider whether the proposal exhibits design excellence. In this regard, it is considered that the proposal presents an acceptable standard of design, materials and detailing appropriate to the building type and location. The development will improve the streetscape and quality of the public domain with new perimeter paving and street trees. The application has been reviewed and considered by the Design Excellence Advisory Panel and Council's Heritage Architect who raise no issues with the detailed design aspects of the building. It is noted that when DEAP originally reviewed this application at pre-lodgement, they wanted the building to be higher. As previously addressed, the building is not permitted to exceed the 10m height limit as stipulated within the Draft Conservation Agreement.

Car Parking (Clause 22C)

Clause 22C restricts the maximum car parking permissible for developments within the City Centre. The proposed use is not listed within LEP2007 and therefore no car parking rates apply to the proposed development. The proposed car parking is considered acceptable and is discussed elsewhere within this report.

Building Separation (Clause 22D)

There are no building separation requirements for this site.

Ecologically Sustainable Development (Clause 22E)

Clause 22E requires the consent authority to have regard to the principles of ecologically sustainable development.

The design has been prepared having regard to the opportunity of passive solar design and day lighting, suitable orientation and natural ventilation. The form of the building has been designed to have a high degree of indoor/outdoor interaction. This approach allows for sustainable design whereby the building's perimeter walls can be opened up via multi-fold doors when outdoor ambient temperatures are suitable.

The application was also accompanied by a Section J (BCA) report which outlines compliance with insulation, glazing, sealing, ventilation systems, lighting, power and hot water supply energy requirements.

Special Areas (Clause 22G)

Clause 22G requires the consent authority to have regard to the objectives of the identified Special Areas within the City Centre precinct.

The subject site is located within the Parramatta Park Special Area. The proposed development is consistent with the objectives of this clause as the development in and around Special Areas is generally compatible with the particular character and significance of the Special Area and reinforces the specific attributes and qualities of the built form of the Special Area. These matters are further discussed within this report.

Note: The site was within the "Parramatta Park Special Area" under LEP2007/DC2007. This special area was renamed "Parramatta Park Edge Special Area" under the amended DCP2011.

Exceptions to development standards (Clause 24)

The application is not subject to any Clause 24 variations as there are no variations proposed to any development standards.

Outdoor Advertising and Signage (Clause 29A)

Clause 29A requires the consent authority to be satisfied of certain matters before granting consent to signage. No signage is proposed as part of this application.

Classified Roads (Clause 30)

O'Connell Street is a classified road. The proposed development complies with the requirements of this clause as:

- vehicular access to the site is to be provided off Macquarie Street, which is not a classified road
- the safety, efficiency and ongoing operation of O'Connell Street will not be adversely affected by the development
- the proposed use as a club is not a sensitive land use.

Flood Prone Land (Clause 33A)

The property is affected by the 1 in 20 year flood, 1 in 100 year flood and Probable Maximum Flooding (PMF). Due to the flood affectation and the close proximity of the existing open channel leading to the Parramatta River, a "Flood Impact Assessment" Report was submitted to Council. Council officers assessed the flood report and flood compatible measures such as floor levels and ramp crest levels have been incorporated to minimise the flood impacts in the vicinity of the development.

Acid Sulfate Soils (Clause 33B)

An acid sulfate soils management plan was submitted with the application. It was concluded that actual and potentially acidic soil materials are present on the site and the local watertable is likely to be encountered by the proposed development. The acidic soils will require management during the excavation phase and therefore compliance with the recommendations contained within the management plan are incorporated within the Recommendation section of this report.

Preservation of Trees or Vegetation (Clause 34)

The application proposes the removal of trees on the site.

Council's Landscape and Tree Management Officer has reviewed the proposal and raises no objection to the removal of the trees.

Heritage Conservation (Clause 35)

The subject site is currently identified as a heritage item and adjoins Parramatta Park, which is a world heritage listed item.

It is noted that Council maps indicate the site is a heritage item, however it is not included in the heritage schedule of Parramatta LEP 2007. This listing is an anomaly as it was automatically included as part of the Parramatta Park curtilage in error. Council has endorsed a planning proposal to remove this property from the LEP heritage map.

The site adjoins Parramatta Park which contains Old Government House and Domain. This is one of eleven sites in a group forming the Australian Convict Sites on the UNESCO World Heritage List.

A Heritage Impact Assessment prepared by Urbis was submitted with the application. This assessment notes the following significance:

Located on the Subject Site:

The site has state and national heritage significance for its archaeological and research potential, historical and associative significance. The site formerly comprised part of the Domain (Parramatta Park) and Old Government House precinct prior to its separation from the park in 1952 and subsequent construction of the RSL. The subject land was, by an Act of Parliament in 1952, dedicated as a War Memorial and in August 1958 the RSL club was opened. The site has historical significance as a part of the Domain and Old Government House significance prior to its current use. The Domain demonstrates early land cultivation and land use, saving the colony from starvation. As well as representing town planning and landscaping design and features, strategic and picturesque views and vistas, created to frame Old Government House and enforce the status of the Governor over the convicts and free settlers inhabiting the township below.

The site as a part of the Domain has associate significance with the Burramatta clan of the Dharug Aboriginal people and successive governors, including Governor Phillip and Macquarie. The site in its current curtilage has high associate significance with convict settlement as c.1792, multiple convict huts from the colony were located here along the south boundary to Macquarie Street.

The subject site retains historic links to the greater Domain site. The circa 1888 palisade fence with sandstone base on the site to Macquarie and O'Connor Street was a part of the Domains site fencing that extended along O'Connell, Macquarie and Pitt Streets, replacing an early stone and brick wall.

The site has high archaeological significance.

Located Adjacent to the Subject Site:

Parramatta Park and Old Government House, NSW Heritage Branch (state significance) Located adjacent to the subject site

Parramatta Park demonstrates continuous cultivation and land-use from the management of the Cumberland Plain grasslands by the Burramatta clan of the Dharug Aboriginal people and later through the processes of colonisation, from exploration to occupation, including land clearing and building. The first farm to produce sufficient food to feed the penal colony was established here beside the river in 1788, saving the settlement from starvation.

Following Governor Phillip's establishment of the Governor's Domain in 1790 the area contained agricultural land, stockyards, lumber yards, and most significantly, the governor's residence and vice-regal offices. Old Government House at Parramatta demonstrates the growth of the Colony, from an impermanent cottage,

built with the limited material available, into a grand residence with some of the finest extant plaster and joinery from the Georgian period.

A landmark site, the Park and House retains historical association with successive governors, and was the location for significant interaction between Aboriginal and European people. It demonstrates early town planning and landscaping design and features strategic and picturesque views and vistas, created to frame Old Government House and enforce the status of the Governor over the convicts and free settlers inhabiting the township below. As such it is a conscious recreation of English landscapes of control.

The Domain was used for botanical and astronomical scientific research, and the Park is considered both a European and Aboriginal archaeological resource of national significance.

The park has evolved from being one of the earliest successful agricultural sites of the colony, including the site of the only 18th century vice-regal residence and seat of colonial government remaining intact today, to one of the most important and earliest open spaces dedicated for public use. The Park has continuously operated as a public park since 1857, reinforced by its gazettal as a National Park in 1917. Old Government House was used by Governors until 1855, tenanted by the King's School and other organisations, and then operated by the National Trust since 1970 as a house museum. Parramatta Park retains strong associations with the local Aboriginal community.

The whole site is a unique and rare demonstration of the evolution of New South Wales and Australian Society since 1788.

The Heritage Impact Assessment concludes as follows:

This report has been prepared to assess the potential heritage impacts of the proposal on built heritage on the site and the adjacent UNESCO world heritage item Australian Convict Sites, The Domain and Old Government House as the subject site forms part of the buffer zone.

We have made the following assessment

Views and built form

The building is carefully designed to have minimal and less impact than the previous structure on the views from the adjacent heritage item, The Domain/Parramatta Park, Old Government House. The architectural form is carefully designed to sit low in the landscape behind the existing tree line. The siting of the new building is to the east of the site, towards the CBD situated further from the Domain | Parramatta Park and Old Government House than the previous and higher structure further reducing the buildings visibility. Additional screening planting to the north and west is also proposed to further screen built form. The new structure is only slightly visible from government house and has no negative impact on views.

Palisade fence

The circa 1888 palisade fence with sandstone base on the site to Macquarie and O'Connor Street is aesthetically and historically significant. A small section of the fence (approximately 3 meters) is to be relocated to allow pedestrian access from the intersection of Macquarie and O'Connell St, the most important pedestrian entry point from the Parramatta CBD. The length of the fence on the site is approximately 140 meters and continues along O'Connell St for another approximately 100 meters beyond the site. The relocated section will be located in a visible public space and be sign posted for potential future reinstatement. Due to the on site retention of the removed fence and sandstone section for potential future reinstatement, we assess the impact to be minor and acceptable as it provides a substantial benefit to the site. The new building design is offset from the fence where adjacent and has no negative impact.

Views and Landscaping

Additional deep soil screening planting to the north and west boundaries adjacent to Parramatta Park is also proposed to further screen the built form and is a positive impact. The new structure is only slightly visibly from Old Government House and has no negative impact on its view corridors.

Archaeology

The site has been assessed as having high archaeological significance as outlined in the assessment by Artefact.

The application was referred to Council's Heritage Advisor who raises no significant concerns with the proposed development. See the 'Referrals' section of this report.

Planning Comment:

It is considered that the proposed development will not adversely impact upon the heritage values of the adjoining world listed heritage site, particularly when considering the following:

- The building has been carefully designed to have minimal and less impact than the current structure on the adjacent heritage item, the Domain/ Parramatta Park and Old Government House and their view corridors.
- The architectural form is carefully designed to sit low in the landscape behind the tree line. The siting of the new building is to the east of the site, situated further from the Domain/Parramatta Park and Old Government House than the current and higher structure. It is only slightly visible from Old Government House and has no negative impact on views.
- The substantial palisade fence is retained with a small section to be removed and re-used to allow pedestrian access from the intersection of Macquarie and O'Connell St, the most important pedestrian entry point from the Parramatta CBD on the site.

Archaeological Sites

Clause 35(6) requires the consent authority before granting consent to the carrying out of development on an archaeological site (as defined in the LEP), be satisfied that any necessary excavation permit required by the Heritage Act 1977 has been granted.

This site is identified as being of State significance with state archaeological research potential under PHALMS (Parramatta Historical Archaeological Landscape Management Strategy). According to the Heritage Impact Statement, the site may contain convict huts and has the potential to contain information about the early penal settlement and authoritarianism as reflected in town layout and design; the living conditions of male and female convict workers; the material culture of these convicts; their diet; and their standards of living (hygiene etc).

An archaeological test excavation is required to be carried out in order to determine the nature and extent of the archaeological resource and to accurately assess its significance.

The Office of Environment and Heritage (Heritage Office) have reviewed the application and recommended conditions be imposed on any consent granted. These recommended conditions include that an excavation permit under Section 140 of the NSW Heritage Act be submitted to the NSW Heritage Council prior to any below ground works commencing. This application must be accompanied by the Archaeological Assessment and an appropriate Archaeological Methodology and Research Design for the site. This issue is further discussed within the 'Referrals' section of this report.

Places of Aboriginal Heritage Significance

Clause 35(7) requires the consent authority, before granting consent to the carrying out of development in a place of Aboriginal heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place, and
- (b) notify the local Aboriginal communities (in such way as it thinks appropriate) about the application and take into consideration any response received within 21 days after the notice is sent.

The site is identified as having high sensitivity under the Aboriginal Cultural Heritage Study.

An Aboriginal Archaeological Assessment prepared by Artefact was submitted with the application. This assessment revealed the following:

- The study area has been assessed to be of moderate research potential. Located within the mapped extent of the Parramatta Sand Body, the study area has the potential to provide information about long term Aboriginal occupation in Parramatta and how it changed over time.
- In order to determine the Aboriginal archaeological significance of the study area it is recommended that an archaeological test excavation is conducted under an Aboriginal Heritage Impact Permit (AHIP). The test excavation would

focus on the eastern half of the study area beneath the current tennis courts and bowling greens.

- Aboriginal archaeological testing should be conducted in conjunction with the non-Indigenous archaeological testing programme which is dependent on the accessibility of the areas designated for testing. It is therefore important to have a flexible methodology for Aboriginal archaeological test excavations, as the location and size of the test pits may be governed, in part, by the results of the non-Indigenous test excavations.

The Office of Environment and Heritage (NPWS) have reviewed the application and have provided their general terms of approval which will be imposed on any consent granted. This issue is further discussed within the 'Referrals' section of this report.

The Deerubbin Local Aboriginal Land Council and the Dharug Tribal Aboriginal Corporation were notified of the proposal on 16 December 2013. The Deerubbin LALC requested the Council advise the applicant to contact them to arrange for the LALC to conduct an Aboriginal cultural heritage assessment. In response to this, the following is noted:

- Council officers forwarded a copy of the Aboriginal Archaeological Assessment to the Deerubbin LALC on 8 January 2014.
- A copy of this correspondence was forwarded to the applicant on 8 January 2014. The applicant has advised that they did contact the submitter and general discussions were held.
- A further email was forwarded to the Deerubbin LALC on 17 July 2014 requesting any further concerns or comments. No correspondence has been received to date.

It is considered that the requirements of this clause have been satisfied.

Historic View Corridors (Clause 35A)

The subject site is not identified in the City Centre DCP2007 as being within a historic view corridor.

PARRAMATTA CITY CENTRE LOCAL ENVIRONMENTAL PLAN 2007 (AMENDMENT 8)

Amendment 8 to the Parramatta City Centre LEP 2007 became effective from 1 August 2014. This amendment is to the height of buildings map and applies a 10m building height for the land at 2 Macquarie Street, Parramatta – Lot 362 DP752058.

This amendment was initiated by Council as a result of the work with the Federal Government on the Conservation Agreement relating to Old Government House and Domain and the World Heritage listing.

The proposed development complies with the 10m height limit under Amendment 8.

DEVELOPMENT CONTROL PLANS

PARRAMATTA CITY CENTRE DEVELOPMENT CONTROL PLAN 2007

Note: This DCP was repealed during the course of the assessment of this application (as City Centre controls were incorporated within DCP2011 on 2 April 2014). Nonetheless, the provisions of DCP 2007 are relevant as they were in effect at the time of DA lodgement.

The relevant sections of Parramatta City Centre DCP 2007 as they relate to the proposed development are addressed as follows:

Building Form

Deep Soil Zones & Landscape Design

Ample deep soil is provided on the site along the western and northern perimeter of the site to provide for an appropriate integration with the adjoining park. In addition to this, landscaping is provided on the O'Connell Street and Macquarie Street frontages, with scattered trees located within the car park. The application was considered by Council's Tree Management & Landscape Officer who is satisfied with the proposed landscaping of the site.

Pedestrian Amenity

Permeability

The DCP indicates that no pedestrian link is required to be provided over this site. The application does however provide access through the site from Macquarie Street through to Parramatta Park.

Active Street Frontages and Address

The DCP indicates that an active street frontage is not required to this site. Notwithstanding this, the application provides for open decking areas to the O'Connell Street frontage for site activities and natural surveillance of the public domain.

Front Fences

No front fencing is proposed as part of this application. The existing palisade and sandstone fencing on the O'Connell Street and Macquarie Street boundaries are to remain substantially intact. New metal palisade fencing is proposed to replace the existing chain wire fencing bounding the park.

Safety and Security

The development is considered reasonable from a CPTED perspective, as the proposed development provides for improved natural surveillance over the public domain, access control and guardianship of semi public areas along O'Connell Street, Macquarie Street and Parramatta Park.

The applicant has submitted a Crime Prevention Assessment which has identified existing physical and environmental factors and proposed additional measures to

further mitigate hazard and risk. Recommendations include measures incorporating CCTV, design of glass barriers, use of lighting and so on.

Awnings

The DCP does not require an awning for development on the subject site. An awning is not provided as part of this development.

Building Exteriors

The building contributes positively to the streetscape by providing quality and robust materials and finishes. The proposed external materials will consist of stone, steel, glass and timber grain coloured materials to add warmth to the building. The materials will be hard wearing and low maintenance. The building also provides an acceptable level of detail with differing design elements to complement the existing and streetscape, without adversely impacting upon the heritage values of Parramatta Park.

Advertising and Signage

No signage is proposed as part of this application.

Public Artworks

High quality artworks are required to be provided in new development in publicly accessible locations, near main entrances and street frontages and in lobbies. The application was accompanied by a Public Arts Plan which has been considered and accepted by Council's Arts Planner. This matter has been discussed elsewhere within this report.

Access, Parking & Servicing

Pedestrian Access and Mobility

The entries to the site provide access to the premises without requiring a less mobile person to traverse any steps. A lift provides access to all levels of the building. The development satisfies the requirements of the DCP.

It is noted that an Access Report was submitted with the application and a condition requiring compliance with this report has been imposed within the Recommendation section of this report.

Vehicular Driveways and Manoeuvring Areas

The existing driveway access to the site from Macquarie Street will be retained for the proposed development. The existing vehicular access through to Parramatta Park is to be removed. The removal of this access was agreed to as part of negotiations between the Parramatta Park Trust and the applicant.

The development provides suitable access into the car parking areas, of a suitable width and with sufficient space for vehicles to be able to enter the site appropriately.

Council's Traffic & Transportation Investigation Engineer has reviewed the proposed development and is satisfied with the proposed arrangement for parking, subject to the conditions included in the Recommendation.

On-site Parking

As noted within this report, the proposal provides an acceptable amount of car parking for the proposed development.

Site Facilities and Services

A garbage room and collection area are provided within the basement and maintained by full time staff members and collected by a private contractor.

Environmental Management

- The proposed materials used within the design will not cause excessive reflectivity.
- The proposal incorporates adequate natural lighting for thermal comfort.
- The proposal displays acceptable measures in terms of energy efficiency and water management.
- There is unlikely to be any significant wind related impacts associated with the development given the height is only 10m.
- A satisfactory waste management plan was submitted with the application.
- The site is not considered to be contaminated land.
- The proposal is considered satisfactory in terms of flood plain risk management.

Special Areas

The subject site is located within the Parramatta Park Special Area.

The proposed development is consistent with the relevant objectives for special areas as it promotes development which contributes to an overall vision for the Parramatta city centre, improves the character of the special area and promotes development which reinforces safety and amenity in the public domain.

There are no specific controls outlined for this special area.

PARRAMATTA DEVELOPMENT CONTROL PLAN 2011

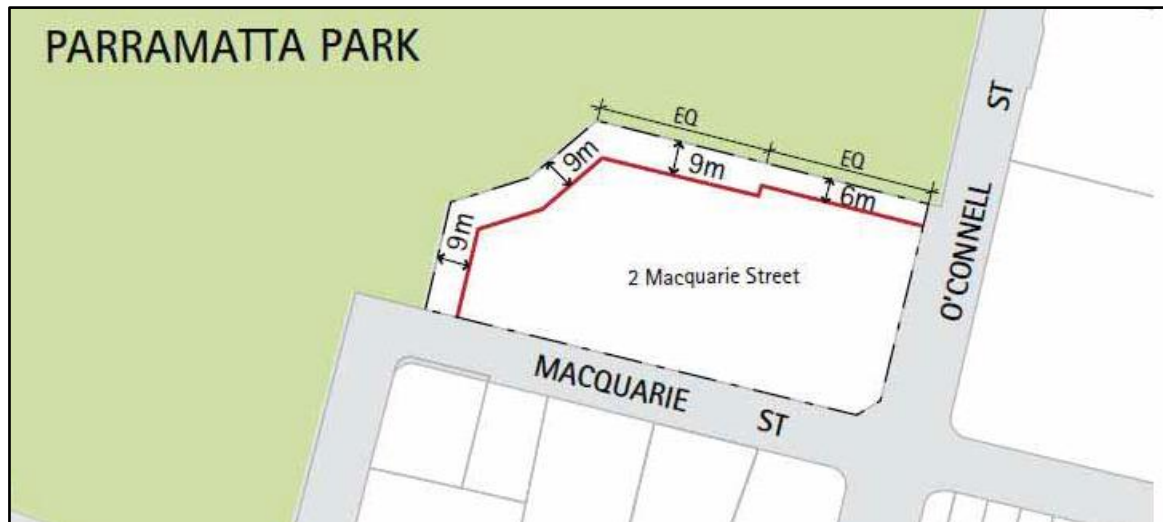
The Parramatta City Centre DCP 2007 was amalgamated into the Parramatta DCP 2011 on 2 April 2014 (Amendment 4).

Whilst the amended DCP is not a matter for consideration for the purposes of the proposed development, the proposed development generally complies with the requirements contained within Part 4 of DCP 2011. The majority of the controls remain similar to that of the former City Centre DCP 2007.

The amended DCP does however incorporate new controls for the Park Edge Special Area (as discussed earlier within this report). Given the heritage significance of Parramatta Park, and the draft Conservation Agreement with the Federal Government, these controls were used within the assessment of the application.

Area C – Lot 362 DP 752058, No. 2 Macquarie Street Parramatta (RSL Site)

- (a) *Built form is to provide minimum setbacks to Parramatta Park as indicated in Figure 4.3.3.7.14. The setbacks are to provide a transition from built form to the soft landscaping in Parramatta Park and are to be predominantly landscaped.*



DCP 2011 - Figure 4.3.3.7.14 (in part)

The proposed built form complies as there is an 8.7m to 12.5m building setback to the north and minimum 6.6m building setback to the western boundary. It is acknowledged that some terracing is located along the northern boundary towards the north-eastern corner of the site adjoining Macquarie Street however this is not considered to be the built form. The terraces are considered to form part of the landscaped area and provide a transition between the building, boundary landscaping and the park. The remainder of the building is adequately landscaped to achieve a suitable transition to the park.

Landscaping is located to the northern and western boundaries adjoining the car park and ranges in width from 5.8m to 12.2m. This provides for an acceptable landscaping buffer to the park.

- (b) *Buildings are to be sited to enable the retention and protection of the heritage fence at the O'Connell Street and Macquarie Street frontages. The siting and spacing of buildings across the site shall also respect the important relationship of the RSL site to the landscape setting of Parramatta Park, including the park entrance from Macquarie Street and the gatehouse at this entrance.*

It is noted that a small section of the fence on the corner of the site (Macquarie/O'Connell) will be removed to enable improved pedestrian access to the site. This is considered acceptable from a heritage perspective (as discussed within the 'Referrals' section of the report) and an urban design perspective as it assists in activating the street. The proposed building is appropriately located on the eastern end of the site, which is supported by the Design Excellence Advisory Panel. This location provides for acceptable separation and treatment of the areas adjoining the Macquarie Street and gatehouse entrances to the park.

(c) *The maximum building height is 10 metres.*

The maximum building height of the proposed development is 10m, which complies with this control.

(d) *External building materials must be muted in colour with matt finishes to minimise contrast with the park surrounds and be complimentary to its setting.*

The proposed external materials will consist of stone, steel, glass and timber grain coloured materials to add warmth. The materials are to be hard wearing and low maintenance. The external finishes were considered by DEAP and found to be acceptable and in keeping with this DCP requirement.

(e) *Signage on the upper level of buildings must not face the Domain of Parramatta Park.*

No signage has been indicated on the architectural plans. Any signage will be assessed as part of a future application. Notwithstanding this, a condition has been incorporated into the Recommendation of the report reflecting the above signage restrictions.

The proposed development therefore complies with the Park Edge controls of DCP2011 (as amended). As these controls are the same as reflected within the draft conservation agreement, the proposed development is deemed to comply with the requirements of the draft conservation agreement.

Note: Figure 3 within the draft conservation agreement outlines building alignment and front setback controls for the area. This figure shows a nil setback to O'Connell Street and part of Macquarie Street. This setback has been removed and is not reflected within the DCP. Council's Land Use section have advised that this figure needs to be updated to reflect the recommendations of Council at its meeting on 16 December 2013.

POLICIES

PUBLIC DOMAIN GUIDELINES

The Parramatta Public Domain Guidelines were adopted in August 2011. The objectives for the Parramatta Public Domain Guidelines are to define design principles and provide a standard palette of materials and elements to:

- Establish a clear and consistent public domain image for Parramatta
- Provide clarity in design requirements and construction standards for the public domain
- Facilitate asset management, maintenance and repairs by reducing the number of different elements and requirements
- Uphold required technical, engineering and environmental standards
- Provide equitable access
- Improve the sustainability of Parramatta
- Reinforce the streetscape hierarchy
- Promote pedestrian priority

- Build upon existing public domain treatments and experience.

The Guidelines require the submission of an Alignment Plan at the development stage and the submission of a Public Domain Plan before the construction stage.

An Alignment Plan was submitted for Council's consideration. This plan indicated generally acceptable footpath levels and gradients for the proposed development. Council's Civil Assets section and Council's Urban Design Team have reviewed and approved the Alignment Plan submitted subject to minor modifications.

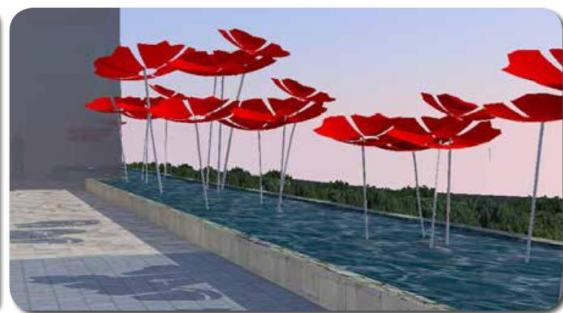
A revised final alignment plan will need to be submitted and approved by Council before the issue of a Construction Certificate. This requirement has been incorporated within the Recommendation section of this report.

A Public Domain Plan is also to be submitted to Council's satisfaction before the issue of a Construction Certificate. This requirement is contained within the Recommendation section of the report.

ARTS PLAN

An arts plan was submitted with the application. This plan identifies the following opportunities for artwork:

- Concept A "Decoration Colours" based upon the coloured ribbons attached to war medals. Potential sculptural element on site.
- Concept B "Glowing Memory" based on medals and war artefacts combined into a large sculptural form.
- Concept C "In Flanders Fields" based on a war poem, the references to the red poppies to be incorporated into a potential cut out sheeting in association with the water feature in the front setback to Macquarie Street. This is the applicant and Council's preferred option.



The arts plan was referred to Council's Arts Officer who raises no objection to the proposed Arts Plan subject to the imposition of appropriate conditions.

PARRAMATTA CITY CENTRE – LANES STRATEGY

The Parramatta City Centre Lanes Strategy does not apply to the proposed development.

S94A DEVELOPMENT CONTRIBUTIONS PLAN – PARRAMATTA CITY CENTRE

The proposal requires the payment of S94A development contributions (3% levy) based upon the estimated cost of works. A condition requiring the payment of **\$1,517,372.40** has been incorporated within the Recommendation section of this report.

PARRAMATTA CITY COUNCIL 2013/2014 SECURITY BONDS FOR THE PROTECTION OF CIVIL INFRASTRUCTURE

In accordance with Council's 2013/2014 Schedule of Fees and Charges, the developer will be required to pay Security Bonds to ensure the protection of civil infrastructure located in the public domain adjacent to the site. The following Security Bond is required to be paid prior to the release of a Construction Certificate:

Nature strip and roadway = \$40,000.

PLANNING AGREEMENTS

The proposed development is not subject to a planning agreement entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F.

REGULATIONS

Additional matters a consent authority must take into consideration

Regulation Clause 92(1)(b) requires that the provisions of AS2601 must be taken into consideration in the case of an application for the demolition of a building.

Note: "AS 2601" means the document entitled Australian Standard AS 2601-1991: *The Demolition of Structures*, published by Standards Australia, and as in force at 1 July 1993.

Conditions have been incorporated within the Recommendation section of this report requiring compliance with AS2601 for any demolition works.

Compliance with Building Code of Australia

Regulation Clause 98(1)(a) requires prescribed conditions in relation to a development consent for development that involves any building work, being that the work must be carried out in accordance with the requirements of the Building Code of Australia.

The above condition has been incorporated within the Recommendation section of this report.

Condition relating to shoring and adequacy of adjoining property

Regulation Clause 98E requires prescribed conditions if the development involves an 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 person's own expense:

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

The above condition has been incorporated within the Recommendation section of this report.

COASTAL ZONE MANAGEMENT PLAN

There are no Coastal Zone Management Plans applicable to the site.

LIKELY IMPACTS

The likely impacts of the proposed development have been discussed within this report.

SUITABILITY OF THE SITE

The potential constraints of the site have been assessed and it is considered that the site is suitable for the proposed development.

SUBMISSIONS & PUBLIC INTEREST

Six (6) submissions were received in response to the notification of the application. The issues raised within the submissions have been addressed within this report and do not warrant the refusal of the application.

Having regard to the assessment within this report, the proposal is considered to be in the public interest for the following reasons:

- The proposal is in accordance with the type of development envisaged for the site under Parramatta City Centre LEP 2007;
- The proposal will contribute to the overall commercial viability of the Parramatta CBD; and
- The proposal does not result in any unreasonable environmental impacts and provides for a quality architectural and urban design outcome.

Conclusion

After consideration of the development against Section 79C of the Environmental Planning and Assessment Act 1979, and the relevant statutory and policy provisions, the proposal is suitable for the site and is in the public interest. Therefore, it is

recommended that the application be approved subject to the imposition of appropriate conditions.

Recommendation

APPROVAL SUBJECT TO CONDITIONS

Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

That the Sydney West Joint Regional Planning Panel, as the consent authority, grant consent to Development Application No. DA/805/2013 for the demolition of existing buildings, tree removal, removal of bowling greens and construction of a part two storey club and 3 levels of basement car parking on land at 2 Macquarie Street, Parramatta as shown on the approved plans, for a period of five (5) years from the date on the Notice of Determination for physical commencement to occur subject to the following conditions:

General Matters:

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:

Drawing N ^o	Dated
Site Plan Project No. CTL0303 Drawing DA001 Issue 03 prepared by Paynter Dixon	25 June 2014
Basement 3 Project No. CTL0303 Drawing DA140 Issue 06 prepared by Paynter Dixon	15 August 2014
Basement 2 Project No. CTL0303 Drawing DA141 Issue 06 prepared by Paynter Dixon	15 August 2014
Basement 1 Project No. CTL0303 Drawing DA142 Issue 06 prepared by Paynter Dixon	15 August 2014
Ground Floor Plan Project No. CTL0303 Drawing DA143 Issue 07 prepared by Paynter Dixon	15 August 2014
Plant Room Project No. CTL0303 Drawing DA144 Issue 05 prepared by Paynter Dixon	25 June 2014
Roof Plan Project No. CTL0303 Drawing DA145 Issue 04 prepared by Paynter Dixon	25 June 2014
Elevations Project No. CTL0303 Drawing DA200 Issue 03 prepared by Paynter Dixon	25 June 2014
Sections Sheet 1	25 June 2014

Drawing N^o	Dated
Project No. CTL0303 Drawing DA300 Issue 04 prepared by Paynter Dixon	
Sections Sheet 2 Project No. CTL0303 Drawing DA303 Issue 04 prepared by Paynter Dixon	25 June 2014
Photomontages Project No. CTL0303 Drawing DA901 Issue 03 Project No. CTL0303 Drawing DA902 Issue 03 Project No. CTL0303 Drawing DA903 Issue 04 Project No. CTL0303 Drawing DA904 Issue 03 prepared by Paynter Dixon	25 June 2014
Landscape Plan Drawing No. LPDA 14-02/1 – Issue E prepared by Conzept Landscape Architects	18 June 2014
Drainage Plans <ul style="list-style-type: none"> - Drainage Plans Drawing No. Fig04 Revision (F), Fig05 Revision (E) - OSD Plans: Drawing No. Fig07 Revision (D) - Longitudinal Section of proposed culverts Drawing No. Fig08 Revision B Prepared by Wood & Grieve Engineers	25 June 2014

Document N^o	Dated
Access Report prepared by ILC Access	20/11/2013
Arborist Report prepared by Australis Tree Management – Version 2 (as amended by conditions of this consent)	29 July 2013
Crime Prevention Assessment prepared by Barrington Corporate Risk	27 March 2013
Environmental Noise Impact Assessment – Document Reference 20130130.3/2611A/R4/GW Revision 4 prepared by Acoustic Logic	26 November 2013
Heritage Impact Statement prepared by Urbis	December 2013
Non-Aboriginal Archaeological Assessment prepared by Artefact	November 2013
Waste Management Plan	25 February 2014
Social Impact Assessment – Job Code SPP00114 prepared by Urbis	March 2014
Exterior Finishes Board – Issue P1	19 July 2013
Stage 1 Environmental Site Assessment – Report No. E22127 AA prepared by Environmental Investigations	14/03/2014
Arts and Cultural Plan – Issue A prepared by Site Image Public Art Consultants	March 2014
Acid Sulfate Soil Assessment & Management Plan prepared by Environmental Investigations – Report No. E1948 AA	31/10/2013

- Reason:** To ensure the work is carried out in accordance with the approved plans.
2. The development shall be constructed within the confines of the property boundary. No portion of the proposed structure, including gates and doors during opening and closing operations, shall encroach upon Council's footpath area.
Reason: To ensure no injury is caused to persons.
3. No portion of the proposed structure including any fencing and/or gates shall encroach onto or over adjoining properties.
Reason: To ensure that the building is erected in accordance with the approval granted and within the boundaries of the site.
4. Prior to commencement of any construction works associated with the approved development (including excavation if applicable), it is necessary to obtain a Construction Certificate. A Construction Certificate may be issued by Council or an Accredited Certifier. Plans and documentation submitted with the Construction Certificate are to be amended to satisfy all relevant conditions of this development consent.
Reason: To ensure compliance with legislative requirements.
5. All building work must be carried out in accordance with the current provisions of the Building Code of Australia.
Reason: To comply with the Environmental Planning & Assessment Act 1979, as amended and the Environmental Planning & Assessment Regulation 2000.
6. All roof water and surface water is to be connected to an approved drainage system complying with Council's specifications and policy requirements. The stormwater discharge pipe shall be connected by complying in general with the approved drainage plan prepared by Wood & Grive Engineers Ltd dated 25/06/2014.
Reason: To ensure satisfactory stormwater disposal.
7. 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.
8. All works/regulatory signposting associated with the proposed development are to be at no cost to the RMS or Council.
Reason: To ensure works are not at the cost of the RMS or Council.
9. The proposed development must not incorporate provision for the permanent or semi-permanent pumping of groundwater seepage from below-ground areas. A fully tanked structure must be used.
Reason: To protect the groundwater flows.

10. 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 Parramatta City 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 Parramatta City 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 21 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 Parramatta City 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
 - (q) 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.
- (r) 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.

11. Trees to be retained are:

Tree No	Name	Common Name	Location	DBH Diameter at breast height (mm)	Tree Protection Zone (m)
14	<i>Corymbia citriodora</i>	Lemon scented Gum	Located within entrance to Parramatta Park. Refer to arborist report and survey	450mm	5.4m
16	<i>Corymbia citriodora</i>	Lemon scented Gum	Located within entrance to Parramatta Park. Refer to arborist report and survey	250mm	3m
17	<i>Eucalyptus</i>	Forest Red Gum	Located on the boundary	1000mm	12m

	<i>tereticornis</i>		of Parramatta park and subject site. Refer to arborist report and survey		
18	<i>Brachychiton populneus</i>	Kurrajong	Located within Parramatta Park. Refer to arborist report and survey	700mm	8.4m
19	<i>Syncarpia glomulifera</i>	Turpentine	Located within Parramatta Park. Refer to arborist report and survey	400mm	4.8m
20	<i>Corymbia maculata</i>	Spotted Gum	Located on the boundary of Parramatta park and subject site. Refer to arborist report and survey	850mm	10.2m
21	<i>Eucalyptus sideroxylon</i>	Ironbark	Located on the boundary of Parramatta park and subject site. Refer to arborist report and survey	500mm	6m
22	<i>Quercus palustris</i>	Pin Oak	Located within Parramatta Park. Refer to arborist report and survey	700mm	8.4m
23	<i>Quercus palustris</i>	Pin Oak	Located within Parramatta Park. Refer to arborist report and survey	900mm	10.8m
24	<i>Alnus sp.</i>	Evergreen Alder	Located within Parramatta Park. Refer to arborist report and survey	350mm	4.2m
25	<i>Alnus sp.</i>	Evergreen Alder	Located within Parramatta Park. Refer to arborist report and survey	250mm	3m
26	<i>Lagerstroemia indica</i>	Crepe Myrtle	Located within Parramatta Park. Refer to arborist report and survey	200mm	2.4m
27	<i>Lagerstroemia indica</i>	Crepe Myrtle	Located within Parramatta Park. Refer to arborist report and survey	200mm	2.4m
28	<i>Quercus palustris</i>	Pin Oak	Located within Parramatta Park. Refer to arborist report and survey	700mm	8.4m
29	<i>Agonis flexulosa</i>	Willow Myrtle	Located within Parramatta Park. Refer to arborist report and survey	1000mm	12m
30	<i>Cedrus deodara</i>	Himalayan Cedar	Located within Parramatta Park. Refer to arborist report and survey	600mm	7.2m

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

Office of Environment & Heritage Conditions:

- The proponent must ascertain if Aboriginal objects are located within the proposed development area. OEH's preference is that harm to Aboriginal objects is avoided as a result of the proposed development. However, if this is not possible and Aboriginal objects will be harmed as a result of this development, a s90 Aboriginal Heritage Impact Permit (AHIP) must be sought and granted prior to the commencement of works.

Consultation with the Aboriginal community undertaken as part of an AHIP application must be in accordance with the Aboriginal Cultural Heritage Community Consultation Requirements for Proponents 2010.

Reason: To comply with the General Terms of Approval issued by the Office of Environment and Heritage.

13. The following requirements of the Heritage Division of the Office of Environment and Heritage are to be complied with prior to the issue of any Construction Certificate:

- (a) An excavation permit under Section 140 of the NSW Heritage Act must be submitted to the NSW Heritage Council prior to any below ground works commencing. This application must be accompanied by the Archaeological Assessment and an appropriate Archaeological Methodology and Research Design for the site.
- (b) Where substantially intact State Significant relics are encountered consideration must be given to amending the development plans to allow for this archaeology to be kept in situ.
- (c) The Applicant must ensure that at the completion of archaeological works, the results of the archaeological programme are interpreted within the completed redevelopment of the site. This interpretation should help the public understand the history and significance of the site.
- (d) Throughout on site development works the Applicant must ensure that appropriate signage to explain the history and significance of the site is placed at the site.

Reason: To comply with the requirements of the Heritage Division of the Office of Environment and Heritage.

Roads & Maritime Services Condition:

14. The developer is to submit design drawings and documents relating to the excavation of the site and support structures to RMS for assessment, in accordance with Technical Direction GTD2012/001. The developer is to submit all documentation at least six (6) weeks prior to commencement of construction and is to meet the full cost of the assessment by RMS. The report and any enquiries should be forwarded to:

Project Engineer, External Works
Sydney Asset Management
Roads and Maritime Services
PO Box 973 Parramatta CBD 2124.
Telephone 8848 2114
Fax 8849 2766

If it is necessary to excavate below the level of the base of the footings of the adjoining roadways, the person acting on the consent shall ensure that the owner/s of the roadway is/are given at least seven (7) days notice of the intention to excavate below the base of the footings. The notice is to include complete details of the work.

Reason: To comply with the requirements of the NSW Roads and Maritime Services.

Prior to the release of a Construction Certificate:

15. The existing boundary fencing along O'Connell Street and Macquarie Street is to be restored and protected. Details on the restoration of the fencing are to be submitted to the written satisfaction of Council's Heritage Advisor before the issue of a Construction Certificate. Details are also to include the areas of fence removal and how the fencing will be protected from the impacts of humidity. Any approved parts of the sandstone wall to be removed should be carefully relocated and stored on the site for potential future reuse.
Reason: To restore the heritage fencing.
16. Details regarding the proposed boundary fencing to Parramatta Park are to be submitted to the written satisfaction of Council before the issue of a Construction Certificate. Details are to include the type of fencing, location and methods of construction. An AQF5 arborist report is to be submitted with the fencing details that demonstrates the proposed fencing will not result in any detrimental impact upon retained trees within the vicinity of the proposed fence. Evidence indicating agreement of the final fence design with the Parramatta Park Trust and the Office of Environment and Heritage is also to be submitted prior to Council's agreement.
Reason: To ensure all parties agree on the boundary fencing to be constructed, and that this fencing does not impact upon any retained trees.
17. Details of the surface treatment of the ground floor car parking area are to be submitted to the satisfaction of Council before the issue of a Construction Certificate. In this regard, consideration is to be given to different materials and colours to soften the appearance of the hard surface.
Reason: To ensure the car park materials are compatible with the adjoining heritage item.
18. The recommendations within the following documents submitted with the application are to be incorporated within the Construction Certificate documentation to the satisfaction of the Principal Certifying Authority before the issue of any Construction Certificate:

Document	Date
Access Report prepared by ILC Access	20/11/2013
Crime Prevention Assessment prepared by Barrington Corporate Risk (Part 4 – Risk Treatment Plan and mitigation measures)	27 March 2013
Environmental Noise Impact Assessment – Document Reference 20130130.3/2611A/R4/GW Revision 4 prepared by Acoustic Logic (Part 5 Recommendations)	26 November 2013
Social Impact Assessment – Job Code SPP00114 prepared by Urbis (Section 7 mitigation measures)	March 2014
Stage 1 Environmental Site Assessment – Report No. E22127 AA prepared by Environmental Investigations (Section 7 recommendations)	14/03/2014
Acid Sulfate Soil Assessment & Management Plan	31/10/2013

prepared by Environmental Investigations – Report No. E1948 AA (Section 10)	
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Reason: To confirm the details of the application.

19. Documentary evidence confirming that the applicant has consulted with the energy provider with respect to the easements and restrictions currently on the land, is to be provided to the Principal Certifying Authority prior to the issuing of any Construction Certificate. Any retained or modified easements or restrictions are not to impact upon the landscaped areas approved on the site.

Reason: To ensure adequate consultation is carried out with the energy provider regarding existing easements and restrictions on the site.

20. The submission of a final Landscape Plan to the Principal Certifying Authority, prior to the release of the Construction Certificate. The final Landscape Plan shall address the following requirements:

- (a) The replacement of *Angophora floribunda* (Rough-barked Apple) with *Corymbia maculata* (Spotted Gum).
- (b) The proposed bio-retention basin shall be included within the landscape documentation. The planting palette within the basin shall reflect WSUD requirements.
- (c) All landscape plans are to be prepared by a professionally qualified landscape architect or designer.

Reason: To ensure that appropriate landscaping is implemented.

21. Access for people with disabilities from the public domain and all car parking areas on site to all required areas within the building are to be provided. Consideration must be given to the means of dignified and equitable access from public places to adjacent buildings, to other areas within the building and to footpath and roads. Compliant access provisions for people with disabilities shall be clearly shown on the plans submitted with the Construction Certificate. All details shall be prepared in consideration of, and construction completed to achieve compliance with the Building Code of Australia Part D3 “Access for People with Disabilities”, provisions of the Disability Discrimination Act 1995, and the relevant provisions of AS1428.1 (2001) and AS1428.4.

Reason: To ensure the provision of equitable and dignified access for all people in accordance with disability discrimination legislation and relevant Australian Standards.

22. Toilet facilities shall be provided for disabled persons in accordance with the design criteria in AS1428.1 (2001) - Design for Access and Mobility - General Requirements for Access - New Building Work. This requirement shall be reflected on the Construction Certificate plans.

Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

23. Signs incorporating the international symbol of access for disabled persons must be provided to identify each accessible:

- (a) entrance

- (b) lift or bank of lifts; and
- (c) sanitary facility

This requirement shall be reflected on the Construction Certificate plans and supporting documentation.

Reason: To ensure equity of access and appropriate facilities are available for people with disabilities in accordance with Federal legislation.

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

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.

25. An *Infrastructure and Restoration Administration Fee* is to be paid to Council prior to the issue of a Construction Certificate. The fee to be paid is to be in accordance with 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.

26. A monetary contribution comprising **\$1,517,372.40** is payable to Parramatta City Council pursuant to Section 94A of the *Environmental Planning and Assessment Act, 1979* and the *Parramatta City Centre Civic Improvement Plan*. Payment must be by EFTPOS, bank cheque or credit card only. The contribution is to be paid to Council prior to the issue of a Construction Certificate. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician.

Reason: To comply with Council's Section 94A Contributions Plan.

27. In accordance with Section 80A(6)(a) of the *Environmental Planning and Assessment Act 1979*, security bonds are required to be submitted to Council to guarantee 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 (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate has not been issued or not required.

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

Should a bank guarantee be the proposed method of submitting a security bond it must:

- a) Have no expiry date;

- b) Be forwarded direct from the issuing bank with a cover letter that refers to Development Consent DA/805/2013;
- 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

Nature strip and roadway \$40,000

A dilapidation report is required to be prepared prior to any work or demolition commencing. This is required to be submitted to Parramatta City Council with the payment of the bond/s to the Civil Assets Unit. The dilapidation report is required to report on any existing damage to kerbs, footpaths, roads, nature strip, street trees and furniture bounded by all street frontage/s of the development site to 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.

- 28. Parking spaces are to be provided in accordance with the approved plans referenced in condition 1, to comply with AS 2890.1 and AS 2890.6. Spaces 1 and 150 on Basement Level 3 are to be reserved for staff due to the difficulty accessing these spaces. Details are to be illustrated on plans submitted with the Construction Certificate.

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

- 29. Prior to the issue of the Construction Certificate, the PCA shall ascertain that any new element in the basement car park not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the Construction Certificate.

Reason: To ensure appropriate vehicular manoeuvring is provided

- 30. The raised threshold at the pedestrian activated signals in Macquarie Street fronting the development are to be modified to include bridges over the gutters to Council's satisfaction, so that pedestrian travel is all at the one level. A detailed engineering design plan is to be submitted to Council's Service Manager Traffic and Transport, and Roads and Maritime Services for approval. Plans are to be provided to Council prior to the issue of a Construction Certificate and the raised threshold is to be installed prior to the Occupation Certificate being issued. All costs associated with the improvement works are to be funded by the applicant and at no cost to

Council. Note that the checking, advertising and approval process may take approximately 4 months.

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

31. A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site from Macquarie Street. 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: No removal of the sandstone boundary fence is permitted.

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

32. In order to make satisfactory arrangements for the operation of the stormwater pump-out system, the system shall be designed and constructed to ensure the following are provided:

- (a) A holding tank capable of storing the run-off from a 100 year ARI - 2 hour duration storm event allowing for pump failure.
- (b) Two pump system (on alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - The permissible site discharge (PSD) rate; or
 - 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.

33. No work shall start 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 Concept Drainage Plan Dwg No. *FIG04 (F), FIG05 & 06 (E), FIG07 (D), FIG08 & 09(B) dated 25/06/204 prepared by 'Wood & Grieve Engineers' consultants, approved with the Development Consent.*

Note: The reference Concept Plans are concept in nature only and not to be used for construction purposes as the construction drawing. Rectified

Stormwater plan addressing all the issues with details, and submitted 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 Drainage Code E4 and stormwater Drainage Guidelines.
- c. The design achieves the following:
- a Site Storage Requirement of 470 m³/ha and a Permissible Site Discharge of 80 L/s/ha (as per 3rd edition of UPRCT's handbook).
 - When using the Extended/Flood detention method (4th edition of UPRCT's handbook), the Site Reference Discharge (Lower Storage), SRD_L of **40** l/s/ha, Site Storage Requirement (Lower Storage) SSR_L of **300** m³/ha and Site Reference Discharge (Upper Storage), SRD_U of **150** l/s/ha, Site Storage Requirement (Total) SSR_T of 455 m³/ha as per the submitted OSD calculation.
 - The final drainage plan shall provide a section through the HED chamber and the secondary chamber of the proposed OSD tank with surface and invert levels and indicating the movement of the flow between the chambers towards the discharge outlet pipe of the site.
 - The construction of the on-site detention tank shall be supervised and certified by the drainage engineer to the Principal Certifying Authority to ensure that the proposed system will function properly as intended.
 - The on-site detention tank shall be structurally adequate to take the designated load.
 - The on-site detention system is to be identified with proper signs as per the requirements of the Upper Parramatta River Catchment Trust design handbook.
 - The 375mm diameter stormwater pipe located on the adjoining property is to be relocated to within the subject site (with the exception of the connection), unless approval is obtained for the works from the Parramatta Park Trust.
 - The design of the bioretention basin and the location of any stormwater pipes are not to impact upon the trees to be retained on the site or adjoining property. In this regard, an AQF5 arborist report is to be submitted that demonstrates the stormwater works will not result in any detrimental impact upon these trees.
 - Detailed drainage plans with cross sectional details of OSD storage areas; pits etc, OSD Detailed Design Submission and OSD Detailed Calculation Summary Sheet are submitted and are acceptable.

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

34. Prior to the issue of a Construction Certificate, a detailed design shall be prepared and submitted to the Principal Certifying Authority for the construction of a 2400 x 750mm reinforced concrete box culvert replacing the existing 2 x 1200mm diameter concrete pipes traversing through the site with appropriate headwall and apron structures aligning with the open channel

downstream (in consultation with Parramatta Park Trust) requiring Council's Civil Infrastructures Services approval.

Reason: To minimise the quantity of storm water run-off from the site,

35. Prior to the issue of a Construction Certificate, longitudinal driveway sections are to be prepared by a qualified civil/traffic engineer and be submitted for to and approved by the Certifying Authority. These profiles are to be at 1:100 scale along both edges of the proposed driveway, starting from the centreline of the frontage street carriageway to the proposed basement floor level. The civil/traffic engineer shall provide specific written certification on the plans that:
- a. Vehicular access can be obtained using grades of 25% (1 in 4) maximum and
 - b. All changes in grade (transitions) comply with Australian Standard 2890.1 (2004) – “Off-street car parking” to prevent the scraping of the underside of the vehicles.

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

36. Prior to the issue of a Construction Certificate the applicant shall nominate an appropriately qualified civil engineer (at least NPER) to supervise all public area civil and drainage works to ensure that they are constructed in compliance with Council's “Guidelines for Public Domain Works”.

The engineer shall:

- (a) provide an acceptance in writing to supervise sufficient of the works to ensure compliance with:
 - (i) all relevant statutory requirements,
 - (ii) all relevant conditions of development consent
 - (iii) construction requirements detailed in the above Specification, and
 - (iv) the requirements of all legislation relating to environmental protection,
- (b) On completion of the works certify that the works have been constructed in compliance with the approved plans, specifications and conditions of approval and,
- (c) Certify that the Works as Executed plans are true and correct record of what has been built.

Reason: To ensure works are carried out in accordance with Council requirements.

37. The final Arts Plan (prepared by an artist and including design concepts, site plan for artworks, construction documentation and project management) shall be submitted to, and approved by, Council's Public Arts Officer before the issue of the Construction Certificate.

Reason: To provide for high quality artworks and improve the public domain in the CBD.

38. A revised Alignment Plan in accordance with Parramatta City Council's Public Domain Guidelines is to be submitted to the satisfaction of Council's Civil Assets Team before the issue of a Construction Certificate. The Alignment Plan shall incorporate the following:

- (a) improvements to the levels along the Macquarie Street frontage to ensure that footpath grades do not exceed 2.5%
- (b) the footpath upgrade works along the O'Connell Street frontage should not be disturbed during the development construction

Reason: To protect the public domain.

39. A Final Public Domain Plan in accordance with Parramatta City Council's Public Domain Guidelines is to be submitted to the written satisfaction of Council's Urban Design Team before the issue of a Construction Certificate. This plan will be informed by the Alignment Plan and is to identify paving layout, paving materials, tree pits and Council's recommended tree type, kerb ramps and TGSIs, and the driveway layout and materials. The plan shall include the following:

- (a) construction of a matching footpath (as per the Public Domain Guidelines) along the entire Macquarie Street frontage.
- (b) the provision of street trees as per the Street Tree Master Plan and Public Domain Guidelines; to comply with DS39. Species are to be *Flindersia australis* on Macquarie Street and *Platanus orientalis* 'Digitata' on O'Connell Street as indicated by the PCC Street Tree Master Plan.

Reason: To improve the public domain and confirm the final details of the proposed design.

40. Detailed plans of any food / beverage preparation facilities and waste storage areas shall be submitted to the principal certifying authority (PCA) prior to the issue of the Construction Certificate.

The fit-out of the food premises shall comply with:

- a) Australian Standard AS4674-2004 - Design, Construction and Fit-out of Food Premises.
- b) Food Safety Standards
Standard 3.2.2 Food Safety Practices and General Requirements
Standard 3.2.3 Food Premises and Equipment
- c) The cool rooms shall be provided with safety devices to comply with G1.2 of the BCA.
- d) No approval is granted for any remote storage area.
- e) The business being registered with NSW Food Authority.
- f) Comply with the requirements of Sydney Water – Trade Waste Section (grease trap).

If a Private Certifier is to be used, the final inspection shall be carried out by a suitably qualified person to ensure that food standards are met. Council's Environmental Health Officer may be engaged to carry out the required inspection for a prescribed fee.

Note: Copies of AS 4764 may be obtained from Standards Australia
Copies of the Food Standards Code may be obtained from Australia and New Zealand Food Authority.
Alternatively, you may obtain a copy of the 'Food premises design, construction and fit-out guide' from Council. This guide is based on the

above standards and sets out minimum requirements to achieve compliance.

Reason: To ensure design of the premises meets relevant public health standards.

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

Reason: To ensure that the levy is paid.

42. Documentary evidence confirming that satisfactory arrangements have been made with an energy provider for the provision of electricity supply to the development is to be provided to the Principal Certifying Authority prior to the issuing of any Construction Certificate. If a substation is a requirement of the energy provider, it is to be located internal to the building/s on site. Substations cannot be located within the front setback of a site or within the street elevation of the building, unless such a location has been indicated and approved on the Council stamped Development Application plans. Substations cannot be located in Council's road reserve.

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

43. The arrangements and costs associated with any adjustment to a public utility service shall be borne by the applicant/developer. Any adjustment, deletion and/or creation of public utility easements associated with the approved works are the responsibility of the applicant/developer. The submission of documentary evidence to the Principal Certifying Authority which confirms that satisfactory arrangements have been put in place regarding any adjustment to such services is required, prior to the release of the Construction Certificate.

Reason: To minimise costs to Council.

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

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

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

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

45. Prior to the commencement of any works on the site the applicant must submit, a Construction and/or Traffic Management Plan to the satisfaction of the Principal 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,
- i. Turning areas within the site for construction and spoil removal vehicles, allowing a forward egress for all construction vehicles on the site,
- ii. The locations of proposed Work Zones in the egress frontage roadways,
- iii. Location of any proposed crane standing areas,
- iv. A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- v. Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- vi. The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.

Note: All vehicles must be legally parked and must not park on any private property or footpaths/nature strips. No construction vehicles are to be parked within the adjoining Parramatta Park unless prior approval has been granted by the Parramatta Park Trust.

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

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

(c) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage must be provided and a copy of this route is to be made available to all contractors.

Where applicable, the plan must address the following:

- i. Evidence of RTA concurrence where construction access is provided directly or within 20m 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.

46. Where any shoring is to be located on or is supporting Council's property, or any adjoining private property, engineering drawings certified as being adequate for their intended purpose prepared by an appropriately qualified and practising structural engineer, showing all details, including the extent of encroachment and the method of removal and de-stressing of shoring elements, shall be submitted with the Construction Certificate. A copy of this documentation must be provided to the Council for record purposes. Any recommendations made by the qualified practising structural engineer shall be complied with.

Reason: To ensure the protection of existing public infrastructure and adjoining properties.

47. Prior to any works commencing on the driveway crossover and prior to the issue of any Occupation Certificate, an application is required for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment which must be obtained from Parramatta City Council. All footpath crossings, laybacks and driveways are to be constructed according to Council's Specification for Construction or Reconstruction of Standard Footpath Crossings and in compliance with Standard Drawings. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing No. [DS9 & DS10].

In order to apply for a driveway crossing, you are required to complete the relevant application form with supporting plans, levels and specifications and pay a fee in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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.

48. If an excavation associated with the erection or demolition of a building extend below the level of the base of the footings of a building on an adjoining allotment of land; the person causing the excavation to be made; must preserve and protect the building from damage; and if necessary, must

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

Reason: To control excavation procedures.

49. In order to maximise visibility in the basement carpark, the ceiling shall be painted white. This requirement shall be reflected on the Construction Certificate plans.

Reason: To protect public safety.

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

The PCA must ensure that the plans have been appropriately stamped prior to the issue of any Construction Certificate.

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

Advisory note: Please refer to the web site www.sydneywater.com.au for:

- Quick Check agents details - see Building and Developing then Quick Check and
 - Guidelines for Building Over/Adjacent to Sydney Water Assets - see Building and Developing then Building and Renovating or telephone 13 20 92.
51. The proponent shall submit to the Principal Certifying Authority and Council, a Construction Noise Management Plan prior to the issue of the Construction Certificate as described in the NSW Department of Environment, Climate Change and Water Interim Noise Construction Guidelines 2009. The Construction Noise Management Plan must describe in detail the methods that will be implemented during the construction phase of the project to minimise noise impacts on the community.

The Construction Noise Management Plan must include:

- Identification of nearby residences and other sensitive land uses
- Assessment of expected noise impacts
- Detailed examination of feasible and reasonable work practices that will be implemented to minimise noise impacts

- 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

52. It is essential for the development that an additional measure in terms of a flood proof gate shall be installed at the basement ramp entrance crest level (100 year Flood Level plus 500mm). The purpose of this flood proof gate shall be to address impact measures from flooding events reaching towards PMF event flood inundation which will potentially fill the basement car park with flood water. In addition, detailed design of the flood proof gate and maintenance plan shall be submitted to the satisfaction and subsequent approval by i) Certifying Authority and ii) Council, prior to issue of the Construction Certificate and the Final approved copy of Flood Proof Gate Detailed Design & Maintenance Plan shall be submitted to Council for compliance and record purposes.

Reason: To ensure satisfactory measures in place for the basement car park from being filled with floodwater during storm events leading to Probable Maximum Event (PMF) event inundation.

Prior to Commencement of Works:

53. Prior to the commencement of any stormwater works within the adjoining Parramatta Park, consent for access is to be obtained from the Parramatta Park Trust.

Reason: To obtain legal access on the adjoining property before construction works.

54. The trees identified within the consent to be retained shall be protected prior to and throughout the demolition/construction process in accordance with the tree protection measures contained within the arborist report prepared by Australis Tree Management dated 29 July, 2014 and the relevant conditions of this consent.

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

55. The applicant shall apply for a road-opening permit where a new pipeline is proposed to be constructed within or across the footpath. Additional road opening permits and fees may be necessary where there are connections to public utility services (e.g. telephone, electricity, sewer, water or gas) are required within the road reserve. No drainage work shall be carried out on the footpath without this permit being paid and a copy kept on site.

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

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

- i. The type and extent of substrata formations by the provision of a minimum of 4 representative bore hole logs which are to provide a full description of all material from ground surface to 1.0m below the finished basement floor level and include the location and description of any anomalies encountered in the profile. The surface and depth of the bore hole logs shall be related to Australian Height Datum.
- ii. The appropriate means of excavation/shoring in light of point (a) above and proximity to adjacent property and structures. Potential vibration caused by the method of excavation and potential settlements affecting nearby footings/foundations shall be discussed and ameliorated.
- iii. The proposed method to temporarily and permanently support the excavation for the basement adjacent to adjoining property structures and road reserve if nearby (full support to be provided within the subject site).
- iv. The existing groundwater levels in relation to the basement structure, where influenced.
- v. The drawdown effects on adjacent properties (including road reserve), if any, the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater. Where it is considered there is the potential for the development to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer groundwater through or under the proposed development without a change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path is constructed, artificial drains such as perimeter drains and through drainage may be utilised.
- vi. Recommendations to allow the satisfactory implementation of the works. An implementation program is to be prepared along with a suitable monitoring program (as required) including control levels for vibration, shoring support, ground level and groundwater level movements during construction. The implementation program is to nominate suitable hold points at the various stages of the works for verification of the design intent before sign-off and before proceeding with subsequent stages.

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

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

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

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

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

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

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

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

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

Reason: To ensure the community is protected from the cost of any claim for damages arising from works on public land.

59. Prior to commencement of work, the person having the benefit of the Development Consent and a Construction Certificate must:
- (a) appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment irrespective of whether Council or an accredited private certifier is appointed within 7 days; and

- (b) notify Council in writing of their intention to commence works (at least 2 days notice is required prior to the commencement of works).

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

Reason: To comply with legislative requirements.

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

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

Reason: Statutory requirement.

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

Reason: To prevent any damage to underground utility services.

During Construction or Works:

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

Reason: To ensure compliance with this consent.

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

Reason: To protect the amenity of the area.

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

Reason: To ensure pedestrian access.

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

Reason: To ensure public safety and amenity on public land.

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

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

Such circumstances where extended hours may be permitted include:

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

Reason: To protect the amenity of the area.

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

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

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

68. A Waste Data file is to be maintained, recording building/demolition contractors details and waste disposal receipts/dockets for any demolition or construction wastes from the site. 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.
69. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.
Reason: To ensure that building materials are not washed into stormwater drains.
70. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and ANZECC standards for water quality.
Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from Sydney Water, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.
Reason: To prevent pollution of waterways.
71. The Acid Sulfate Soils Management Plan referenced in Condition 1 shall be followed during the works. In the event that soil contamination (eg. odours or coloured and/or oily residues), is intercepted at any time during the proposed works, excavation in that area will temporarily cease. The area shall be isolated with mobile barricades and the principal environmental consultant notified. Representative samples will be screened for VOCs using a PID and analysed according to the EPA (1995) Sampling Design Guidelines and EPA (1994) Minimum Soil Sampling Protocol for suspected contaminants.
Reason: To ensure appropriate disposal of waste.
72. Should site soils require excavation and disposal from the site, then these soils shall be classified in accordance with the DECCW (2009) Waste Classification Guidelines and disposed to an approved landfill facility. Any soils to be imported onto the site for the purpose of back-filling excavated areas will also require validation testing following the EPA (1995) Sampling Design Guidelines to confirm their suitability for the proposed land use.
Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.
73. Foundations adjacent to the drainage easement are to be constructed in accordance with Council's Code "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements".
Reason: To ensure Council's assets are not damaged.

74. Erosion and sediment control devices shall be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices must be maintained throughout the entire demolition, excavation and construction phases of the development.

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

75. All trees planted as part of the approved landscape plan are to have 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 provide for appropriate landscaping.

76. Trees to be removed are:

Tree No	Name	Common Name	Location
1-7	<i>Syagrus romanzoffianum</i>	Cocos Palm	Refer to arborist report and survey
8	<i>Callistemon viminalis</i>	Weeping Bottlebrush	Refer to arborist report and survey
9	<i>Corymbia citriodora</i>	Lemon-scented Gum	Refer to arborist report and survey
10	<i>Eucalyptus elata</i>	River Peppermint	Refer to arborist report and survey
11	<i>Cyathea australis</i>	Tree Fern	Refer to arborist report and survey
12-13	<i>Chamaecyparis obtusa</i>	Hinoki Cypress	Refer to arborist report and survey
15	<i>Cupressus torulosa</i>	Bhutan cypress	Refer to arborist report and survey

Reason: To confirm the trees to be removed.

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.

78. The construction of the reinforced concrete box culverts shall be undertaken with the joint supervision with Council Civil Infrastructures Services in order to ensure that construction works complied with Council's asset requirements.

Reason: To ensure a proper construction of the drainage system.

79. Occupation of any part of footpath or road at or above (including construction and/or restoration of footpath and/or kerb or gutter) 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 comply with Council requirements.

80. 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 comply with Council requirements.
81. The vehicular entry/exits to the site within Council's road reserve must prevent sediment from being tracked out from the development site. This area must be laid with a non-slip, hard-surface material which will not wash into the street drainage system or watercourse. The access point is to remain free of any sediment build-up at all times.
Reason: To ensure soil and water management controls are in place before site works commence.
82. Any damage to Council assets that impact on public safety during construction is to be rectified immediately to the satisfaction of Council at the cost of the developer.
Reason: To protect public safety.
83. Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely on the property. The applicant, owner or builder must apply for specific permits available from Council's Customer Service Centre for the undermentioned activities on Council's property pursuant to Section 138 of the Roads Act 1993:
- (a) On-street mobile plant:
Eg. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation, the area of operation, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure that the use of any equipment does not violate adjoining property owner's rights.
 - (b) Storage of building materials and building waste containers (skips) on Council's property.
 - (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded by Council with no additional notice being given. Storage of building materials and waste containers on open space reserves and parks is prohibited.
 - (d) Kerbside restrictions, construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a construction zone, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

Reason: Proper management of public land.

84. All redundant lay-backs and vehicular crossings shall be reinstated to conventional kerb and gutter, foot-paving or grassed verge as appropriate. All costs shall be borne by the applicant, and works shall be completed prior to the issue of an Occupation Certificate.

Reason: To provide satisfactory drainage.

Prior to the issue of an Occupation Certificate:

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

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

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

The record must include details of:

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

87. A trade waste agreement shall be obtained from Sydney Water prior to the discharge of trade wastewater to the sewer system. Trade wastewater is defined as 'discharge water containing any substance produced through industrial or commercial activities or operation on the premises'. Separator systems are to be bunded and where systems are placed outside, they are to be roofed to ensure that no rainwater can enter the bund.

Reason: To ensure proper disposal of waste water.

88. The applicant shall prepare a specific program of activities and transport options for Club members/guests to meet the needs of people aged 65 years and over who use the facility, and particularly those who have lost their form of recreation on the bowling greens. This plan is to be submitted to the satisfaction of the Principal Certifying Authority before the issue of an Occupation Certificate.

Reason: To provide for the needs of the community.

89. The Principal Certifying Authority is to be satisfied that the recommendations within the following documents have been carried out and incorporated within the development before the issue of any occupation certificate:

Document	Date
Access Report prepared by ILC Access	20/11/2013
Crime Prevention Assessment prepared by Barrington Corporate Risk (Part 4 – Risk Treatment Plan and mitigation measures)	27 March 2013
Environmental Noise Impact Assessment – Document Reference 20130130.3/2611A/R4/GW Revision 4 prepared by Acoustic Logic (Part 5 Recommendations)	26 November 2013
Social Impact Assessment – Job Code SPP00114 prepared by Urbis (Section 7 mitigation measures)	March 2014
Stage 1 Environmental Site Assessment – Report No. E22127 AA prepared by Environmental Investigations (Section 7 recommendations)	14/03/2014
Acid Sulfate Soil Assessment & Management Plan prepared by Environmental Investigations – Report No. E1948 AA (Section 10)	31/10/2013

Reason: To ensure the details of the application have been complied with.

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

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

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

91. Work-as-Executed plans for the box culvert completed works are to be prepared by a Registered Surveyor (with Signature & Registration Number) and to be submitted to Council Civil Infrastructures Services for acceptance.

Reason: To ensure works comply with approved plans

92. Prior to issue of the Occupation Certificate, the Principal Certifying Authority shall ensure that all the basement car parking flood evacuation measures have been implemented on site, as per the Council's "Flood Plain Matrix". This shall also include the Flood Warning Systems & Response Systems and Evacuation Strategy and Procedures whilst displaying of the laminated Evacuation Plan at a prominent location within each unit, for the residents to be aware of the potential flooding of the basement, in the event of major flooding. The Flood Emergency Response Plan shall also include the Strata Manager and the people nominated as part of the flood warden group (members of the Body Corporate) to monitor the drainage system of the property in the basement as well as pay attention to the weather reports during heavy rainfalls. A Certificate of Compliance for the satisfactory implementation of the flood related basement evacuation strategy, from the Consulting Civil/Flood Engineer shall be submitted to the Principal Certifying Authority, prior to the issue of the Occupation Certificate. A copy of the above Compliance Certificate shall be attached to the Occupation Certificate, when forwarded to Council for record.

Reason: To ensure the property owners / occupants are aware of the procedure in the event of basement flooding.

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

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

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

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

94. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained. Application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at www.sydneywater.com.au then the "e-developer" icon or telephone 13 20 92.

The Section 73 Certificate must be submitted to the Principal Certifying Authority prior to the issue of an Occupation Certificate.

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

95. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919, burdening the owner with the requirement for providing as necessary direct access (during any time throughout the year) to the maintenance personnel or contractor(s) authorized by Parramatta City Council (being the local authority of the drainage system) for the maintenance (either routine or emergency) of Council owned 2400x750mm box culverts located at the basement of this development. The positive covenant and restriction on the use of land shall be created only upon completion of the box culvert and certification by a qualified practicing engineer to the satisfaction of the Certifying Authority. The terms of the instruments are to be generally in accordance with the Council's draft terms of Section 88E instrument for protection of the box culvert and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA (Not in 88B instrument). The relative location of the box culvert, in relation to the building footprint, must be shown on a scale sketch or a works as executed plan, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

Note: The covenant is to be submitted to Council for approval prior to lodgment with the Land and Property Information Service of NSW. Documents relating proof of completion of the stormwater system according to the approved stormwater plan and certification of the compliance shall be submitted to the council together with the positive covenant and restriction.

Reason: To ensure drainage maintenance of the Council owned 2400 x 750mm box culvert located within this property can be conducted on a regular or emergency basis.

96. Prior to issue of the Occupation Certificate the applicant must create a Positive Covenant and Restriction on the Use of Land under Section 88E of the Conveyancing Act 1919, 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 the Council's draft terms of Section 88B instrument for protection of on-site detention facilities and to the satisfaction of Council. For existing Titles, the Positive Covenant and the Restriction on the use of Land is to be created through an application to the Land Titles Office in the form of a request using forms 13PC and 13RPA. The relative location of the On-Site Detention facility, in relation to the building footprint, must be shown on a scale sketch or a works as executed plan, attached as an annexure to the request forms. Registered title documents showing the covenants and restrictions must be submitted and approved by the Principal Certifying Authority prior to issue of an Occupation Certificate.

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

97. An appropriate width drainage easement shall be created in favour of Council over the proposed box culverts running through site (as shown on the Dwg plan No. FIG04 Rev (F) and FIG08 Rev (B) dated 25/06/2014 prepared by

Wood & Grive Engineers. The drainage easement shall be registered with the NSW Land and Property Information Service prior to the issue of Occupation Certificate.

Reason: To ensure an appropriate easement is in place.

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

Reason: To ensure restoration of environmental amenity.

99. All works approved within the Public Domain Plan are to be carried out to Council's satisfaction before the issue of any Occupation Certificate.

Reason: To ensure public domain works are complete.

100. Any artworks approved as part of an Arts Plan are to be installed to the satisfaction of Council prior to the issue of any occupation certificate.

Reason: To ensure that the Arts/Interpretation Plan is implemented appropriately.

101. Prior to an Occupation Certificate being issued, Council must be notified that the premises is to be used for the preparation or manufacture of food for sale so that the premises can be registered on Council's food premises licensing database.

Reason: Compliance with the requirements of the Food Act.

102. Certification to be provided to the principal certifying authority (PCA), prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety standards prescribed under the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004.

It is incumbent on the PCA to determine the competency of the person providing this certification, based on that person's qualifications, experience and currency of practice.

Reason: To ensure construction and fit-out of the premises meets relevant public health standards.

103. Notification of the food business is to be made to the NSW Food Authority before any food handling operations are commenced at the premises.

Reason: To comply with requirements of the Food Act.

104. A written application for release of the bond(s), quoting Council's development application number and site address is required to be lodged with Council's Civil Assets Team prior to the issue of any occupation certificate or completion of demolition works where no Construction Certificate has been applied for.

The bond is refundable upon written application to Council and is subject to all work being restored to Council's satisfaction.

Once the site and adjacent public road reserve has been inspected and in the case of any damage occurring it has been satisfactory repaired Council will advise in writing that this condition has been satisfied and will organise for the bond to be released. The occupation certificate shall not be released until the PCA has been provided with a copy of the letter advising either that no damage was caused to Council's Assets or that the damage has been rectified.

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

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

105. The applicant is required to have in place an approved plan of management, prior to the issue of an Occupation Certificate. The Plan of management is to be submitted to, and approved by Council's Community Crime Prevention Officer. This plan must include a process for dealing with complaints and the recommended acoustic treatments contained within the Environmental Noise Impact Assessment – Document Reference 20130130.3/2611A/R4/GW Revision 4 prepared by Acoustic Logic dated 29/11/2013. Any future proposed changes to the Approved Plan of Management must be submitted to Council for approval.

Reason: To ensure the premises has an appropriate plan of management.

106. The supply and/or sale of alcohol is not permitted on the premises prior to separate consent being obtained from the Office of Liquor Gaming and Racing. Such consent must be submitted to Council prior to occupation of the premises.

Reason: To protect the amenity of the area.

107. The provision of gaming is not permitted on the premises prior to approval being obtained from the Office of Liquor Gaming and Racing. Such consent must be submitted to Council prior to occupation of the premises.

Reason: To protect the amenity of the area.

108. The CCTV shall be compliant with following minimum requirements in line with Australian Standards AS4806:

General

- a. All cameras should provide colour images of sufficient quality and clarity for use by police as evidence in court.
- b. The operational requirement is for Identification @ 5 metres.
- c. Location and mounting of cameras should take potential sources of glare into consideration, particularly position of the sun in early morning and late afternoon.

Field of View (FOV)

- d. FOV should avoid 'tops of heads' shots, distances or angles of view which make detection or identification problematic (refer to S3.7 AS4806.2:2006 for relevant object/screen size ratio).

Image Resolution

- e. Systems should record at a minimum of 4CIF (704 x 576 TV lines) and at 25 frames per second during operational hours and 6-10 frames per second during non-operational hours.
- f. Systems can utilise a live view resolution of 2 CIF (704 x 240).

Placement

- g. Internal cameras should be placed at a height of 1800mm- 2400mm. External cameras may need to be positioned higher, however, placement height should not impede ability to capture identifying information.
- h. Vandal proof dome cameras are most appropriate to enhance camera resistance to tampering or vandalism.

Signage

- i. CCTV signage placed at entry to premises and in all areas where CCTV is operating as per Australian Standard AS4806.1 –2006.
- j. Sign formats as per the requirements of Australian Standard S9 AS4806.2:2006.

Storage

- k. Operational/General recording:
 - A resolution of 4CIF at 25 frames per second for a minimum period of 14 days.Required Storage per Camera:
 - H264 94 GB Standard to 412 GB Best Quality 4 CIF
 - Mpeg 4 134 GB Quiet Scene to 800 GB Busy scene
- l. Non operational (out of hours) recording:
 - A resolution of 4CIF at a minimum of 6 frames per second for a minimum period of 14 days.Required Storage per Camera:
 - H264 30 GB Standard to 137 GB Best Quality 4 CIF
 - Mpeg 4 40 GB Quiet scene to 453 GB Busy scene
- m. Duress/Alarm activation:
 - A resolution of 4CIF at 25 frames per second for a minimum period of 14 days.
- n. Required Storage per Camera:
 - H264 94 GB Standard to 412 GB Best Quality 4 CIF
 - Mpeg 4 134 GB Quiet Scene to 800 GB Busy scene

File export

- o. The system must be capable of burning to disk, in a simple operation:
 - The video file; and
 - the playback software required to view the video file
- p. Files should be able to be exported from the recording device in the following standards:

- Mpeg4;
 - Jpeg;
 - MJpeg;
 - H.264 (and superseding standards).
- q. Data should be able to be played on Windows Media format or in common AVI format.
- r. CCTV Footage must be provided to police or council within 24 hours of receiving a written request for such footage.

Image Retention

- s. Data to be kept for a minimum of 14 days.
- t. Data should be recorded on DVR equipment, computer network or otherwise retained digitally.
- u. Stored images should be protected through archiving & the utilisation of fault tolerant RAID configurations to protect against drive failure.

System Maintenance

- v. The CCTV system including recording unit, should be fully operative at all times. Any damage or malfunction to the system must be noted in the incident register and repaired immediately.

System Validation

- w. When exported, image data should also include:
- Time/date stamp;
 - Camera location;
 - Camera identifier; and
 - Watermarking or method of verifying the original image for authenticity ensuring tamper prevention.

System Registration

- x. The CCTV system to be registered with the NSW Police CCTV Register at: http://www.police.nsw.gov.au/services/additional_services/register_my_business_cctv_details

Staff Training

- y. All staff interacting with system, its location or requests for data should be provided with an appropriate degree of training in its operation. Training/Staff Knowledge should include:
- The use of the system including: data review, search and export.
 - Policy/Standard Operating Procedures (SOPs). (SOPs should be stored with system).
 - Use of incident logs/chain of evidence logs (these should be maintained and kept with system)

Details of compliance with the above is to be submitted to the satisfaction of the Principal Certifying Authority before the issue of a Construction Certificate.

Reason: To ensure the CCTV complies with the appropriate standards.

Use of the Site:

109. The maximum number of gaming/poker machines on the site shall not exceed one hundred and forty five (145). Any increase in the number of machines shall be subject to a further Development Application to Council.

Reason: To safeguard the amenity of the surrounding residential area and to ensure that any increase in the number of gaming machines on the site has been subject to an appropriate assessment in terms of the social and economic impacts on the area.

110. The operation of the premises is to comply with the relevant provisions of the Food Act 2003, Food Regulation 2010 and the Australia New Zealand Food Authority Food Standards Code.

Reason: To ensure operation of the premises complies with the relevant legislation and standards.

111. The operation of the premises is not to give rise to emissions of air impurities in contravention of the Protection of the Environment Operations Act 1997. Air emissions from the premises must not cause a nuisance from odours, nor be hazardous to human health or the environment.

Reason: To prevent loss of amenity to the area.

112. The use of the premises not giving rise to:

- (a) transmission of unacceptable vibration to any place of different occupancy,
- (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

113. The following waste requirements shall be complied with:

- (i) 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.
- (ii) All waste storage rooms/areas are to be fully screened from public view and are to be located clear of all landscaped areas, driveways, turning areas, truck standing areas and car parking spaces. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time.
- (iii) All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.
- (iv) 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. All waste storage areas are to be maintained in a clean and tidy condition at all times.

Reason: To provide for appropriate waste storage and disposal.

114. Security personnel licensed under the Security Industry Act 1997 shall be engaged by the licensee to patrol the area to ensure that patrons do not cause nuisance, or annoyance to the quiet and good order of the neighbourhood.

Reason: To protect the amenity of the area

115. Signs must be placed in clearly visible positions within the hotel requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.

The management/licensee must ensure that the behaviour of patrons entering and leaving the premises does not detrimentally affect the amenity of the neighbourhood. In this regard, the management/licensee must be responsible for the control of noise and litter generated by patrons of the premises and must ensure that patrons leave the vicinity of the premises in an orderly manner to the satisfaction of Council. If so directed by Council, the management/licensee is to employ private security staff to ensure that this condition is complied with.

Reason: To prevent loss of amenity to the area.

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

Reason: To reduce noise levels.

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

Reason: To minimise noise impact of mechanical equipment.

Reason: To protect the amenity of the area.

118. The hours of operation of the club shall be restricted to:

Day	Time
Monday	10am to 11pm
Tuesday	10am to 11pm
Wednesday	10am to 11pm
Thursday	10am to 12 midnight
Friday	10am to 1am
Saturday	10am to 1am
Sunday	10am to 11pm

Reason: To confirm the details of the application.

119. Trade waste water shall be disposed of in accordance with the permit requirements of Sydney Water Corporation Ltd, Wastewater Source Control Branch.

Reason: To ensure compliance with Sydney Water's requirements and protect the environment.

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

Reason: To ensure the removal of graffiti.

121. All vehicles are to enter and exit the site in a forward direction.

Reason: To ensure appropriate truck manoeuvring is provided

122. All loading and unloading shall take place within the designated loading area on the subject property. All vehicles are to enter and leave the site in a forward direction.

Reason: To protect the amenity of the area.

123. Signage on the upper level of the building must not face the domain of Parramatta Park. All signage will require a separate development application.

Reason: To protect the heritage significance of Parramatta Park and comply with the provisions of Parramatta Development Control Plan 2011.

124. The licensee of premises is to be an active member of the Parramatta Liquor Accord. This means the licensee is obliged to attend at least 75% of all meetings of the accord annually.

Reason: To assist with the appropriate management of licensed premises.

125. No person wearing any form of clothing, jewellery or other accessory, displaying or indicating by form of wording, colours, logo, symbol or otherwise that they are members of or are in any way associated with; (Bandidos, Black Uhlands, Brothers 4 Life, Coffin Cheaters, Comanchero, Finks, Fourth Reich, Gladiators, Gypsy Jokers, Highway 61, Life & Death, Lone Wolf, Mobshitters, Nomads, Odins Warriors, Outcasts, Outlaws, Phoenix, Rebels, Hells Angels,

Scorpions, Notorious) or a declared organisation as defined in the Crimes (Criminal Organisations Control) Act 2012 any be allowed entry into, or be permitted to remain on the licensed premises.

ADVISORY NOTES:

- No information has been supplied in relation to any temporary dewatering of the site. If there is to be any temporary dewatering of an amount above 3 ML, this may require a water licence to be obtained from the Office of Water before construction commences.

ATTACHMENT 1 Further JRPP Briefing Report dated 13 March 2014