



SYDNEY CENTRAL CITY PLANNING PANEL

COUNCIL ASSESSMENT REPORT

Panel Reference	2017SWC121
DA Number	DA/841/2017
LGA	City of Parramatta
Proposed Development	14 storey mixed use building on corner of Valentine Avenue and Parkes Street, comprising ground floor retail unit, 6 storeys above ground car parking and 8 storeys commercial offices above; demolition of existing above ground car park; 4 building identification signs; landscaping; and public domain works. The application is to be determined by the Sydney Central City Planning Panel.
Street Address	10 Valentine Avenue, PARRAMATTA NSW 2150 (Lot 2 DP1119257)
Applicant	Investa Office Development
Owner	Australian Unity Investment Mgt Administration P/L
Date of DA lodgement	27 September 2017
Number of Submissions	One (1)
Recommendation	Approval subject to conditions
Regional Development Criteria (Schedule 4A of the EP&A Act)	Pursuant to Clause 3 of Schedule 4A of the Environmental Planning and Assessment Act 1979 (at the time of lodgement), the development has a capital investment value of more than \$20 million.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act 1979• Environmental Planning and Assessment Regulations 2000• SEPP (Infrastructure) 2007• SEPP (State and Regional Development) 2011• SEPP (Sydney Harbour Catchment) 2005• SEPP No. 55 (Remediation)• SEPP No. 64 (Advertising & Signage)• Parramatta Local Environmental Plan 2011• Parramatta Development Control Plan 2011
List all documents submitted with this report for the Panel's consideration	Attachment 1 – Architectural Drawings Attachment 2 – Landscape Drawings Attachment 3 – Civil & Stormwater Drawings Attachment 4 – Design Excellence Jury Review Attachment 5 – Applicant External Shading Justification
Report prepared by	Alex McDougall Executive Planner, City Significant Development
Report date	21 March 2018

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report? **Yes**

Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report? **Yes**

Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report? **N/A**

Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (s7.24 of the EPAA)? **No**

Conditions

Have draft conditions been provided to the applicant for comment? **Yes**

1. Executive summary

The proposal provides for construction of a 14 storey mixed use tower fronting Valentine Avenue. The tower would be positioned in the location of the above ground car park associated with the existing office tower at 10 Valentine Avenue which would remain on site. The proposal includes rebuilding the existing 6 storey above ground car parking levels with 8 levels of office floor space above.

The proposal is based on the winning entry in a design competition process that was awarded design excellence. The proposed building generally follows the form for the site envisaged by Parramatta LEP 2011 and Parramatta DCP 2011 and as such is considered to provide a high standard of accommodation for future occupants.

The site constraints include flooding and proximity to the Western train line. However, it is considered that sufficient evidence has been provided that these risks can be managed appropriately.

While the proposal is not compliant with several of the envelope controls contained in the Parramatta DCP 2011 this is considered to be acceptable given the narrow width of the site and the offsetting improvements to the public domain and screening of above ground car parking. Concerns relating to the lack of external solar shading are resolved via condition.

The amenity impacts on adjoining and nearby properties are considered to be reasonable based on the high-density character of the area and the built forms envisaged by the controls.

The application has been assessed relative to section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant State and local planning controls. On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework. Accordingly, approval is recommended.

2. Key Issues

Parramatta LEP 2011

- **Car Parking** – Level of provision not consistent with Council resolution but is consistent with statutory planning controls.

Parramatta Development Control Plan 2011

- **ESD** – Lack of external shading on north-east façade. To be resolved with condition.
- **Envelope** – Non compliant setbacks and building length considered to be acceptable due to narrow site depth and offsetting improvement to public domain and screening of above ground car park.
- **Public Domain** – A single street tree is omitted in public domain plan to protect clear views of the proposed public art digital display screen proposed in the lobby. This is considered to be acceptable on balance due to the provision of public art.

3. Site description, location and context

3.1 Site

The site is located on the north-eastern corner of the intersection of Valentine Avenue and Parkes Street in the south end of the Parramatta CBD. While the site area is 3,935m², the development area is confined to the southern half of the site (~2,000m²). The development

area has a frontage to Valentine Avenue of approximately 90m and a Parkes Street frontage of approximately 20m. The development area slopes down approximately 3.5m from north to south. The site is immediately adjacent to the base of a railway embankment for the Western Sydney Train line corridor. The train line itself is approximately 2 storeys (~6.5m) above site ground level. The site is located 250m from Parramatta Station and 550m from the nearest proposed Parramatta Light Rail stop.

3.2 Site Improvements & Constraints

The site contains a 13 storey commercial office building (17,600m² GFA, 25 parking spaces in basement) and 6 storey above ground car park (286 parking spaces). There are a total of 311 car parking spaces on the site.

The subject site does not contain any heritage items. The subject site directly adjoins Heritage Item I00696 - Parramatta Train Station, a state listed heritage item. The subject site is not within a heritage conservation area.

The land is likely to contain acid sulphate soils, is of low Aboriginal heritage sensitivity and is flood affected.



Figure 1. Locality Map (subject site in red)

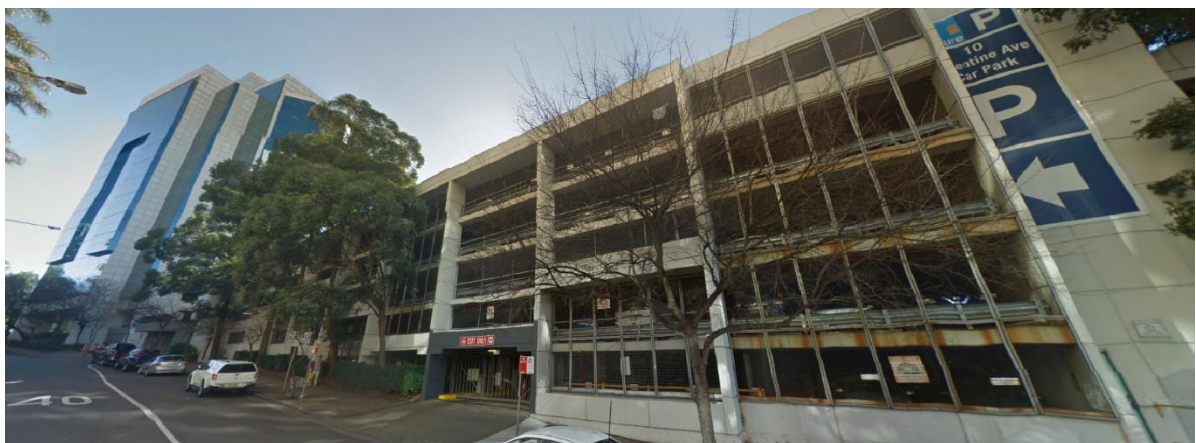


Figure 2. Subject site as viewed from the corner of Valentine Avenue and Parkes Street looking north (existing building in background, car park to be demolished in foreground).

3.3 Surroundings Development

- North – Parramatta Train Station
- East – Western Train Line
- South – 19 storey shop-top housing development
- West – 17 storey hotel

3.4 Site History

A design competition was held for the site (Council Ref: DC/18/2016) in April and May 2017. On 24 May 2017 a proposal by Fitzpatrick + Partners Architects was awarded design excellence triggering the following bonuses under Clause 7.10(8):

- Height – 15% bonus (from 54m to 62.1m)
- FSR – 15% bonus (from 6:1 to 6.9:1)

The original design included retention of, and 3 additional levels to, the existing carpark but with an overall reduction in the amount of car parking on the site (264 to 252 spaces). Subsequently the applicant sought pre-lodgement advice (Council Ref: PL/90/2017) for a proposal to demolish and rebuild the existing car park generally in keeping with the envelope presented in the competition.

On 10 April 2017 Council resolved to adopt City of Sydney car parking rates for the Parramatta CBD and specified that all design competitions and planning proposals would be required to comply with the new rates. The City of Sydney rate for the proposal would have been 53 spaces.

The subject competition was given an exemption to this requirement on the basis that the existing car park was being maintained and that there was an overall reduction in the amount of car parking on the site. However, such exemptions would not have applied in the scenario of a 'knock down / rebuild'. As a compromise Council officers agreed that a level of car parking approximately midway between the level approved in the design competition (252) and that which would be allowable under the City of Sydney control (53), and with an above ground structure generally in keeping with the size of the existing structure, would be acceptable.

As part of the pre-lodgement, Council officers also provided a list of issues that should be resolved prior to submission of the application.

3.5 Statutory Context

The Parramatta CBD is undergoing significant redevelopment transitioning from its historic low-medium rise commercial development to high rise mixed use development.

The following development application in the Parramatta CBD is relevant to the proposal:

Site	Reference	Description / Details
130-150 George Street	DA/808/2017	33 storey commercial office building fronting Charles Street; 4 storey mixed use building fronting George Street comprised of retail, commercial offices and communal recreation facilities; modification to existing car park at 150 George Street including reduction in car parking spaces; pedestrian through-site link along western boundary of 140 George Street; and associated landscaping and public domain works; following demolition of existing car park at 140 George Street. Note. The current proposal includes horizontal and vertical external solar shading on the northern façade. Currently Under Assessment

4. The proposal

The proposal involves the following:

- Demolition of existing above ground car parking structure;
- Removal of 13 site trees and 10 street trees;
- Construction of 14 storey mixed use building comprised of:

Level	Parkes Street
Basement	OSD tank, lift and mechanical plant
Ground Floor	Commercial Lobby (including large digital display screen for public art), Retail Unit (38sqm), Loading Zone, Bicycle Parking (153 staff, 12 visitor), Waste Room, and Substation.
Ground – Level 5	Car parking (135 spaces) and motorcycle parking (31 spaces)
Level 6	End-of-trip facilities, office premises and plant
Levels 7 - 12	Office premises (9,513sqm)
Levels	Plant

- 4 x internally illuminated building identification signs:
 - Wall sign, top storey, north-west elevation (4.3m x 3.3m);
 - Wall sign, top storey, north-east elevation (11.6m x 3.3m);
 - Wall sign, top storey, south-west elevation (9.5m x 2.8m);
 - Wall sign, top storey, south-east elevation (4.3m x 3.3m).
- Public domain works including widened footway (reduces carriageway), street furniture, 9 street trees and 4 inset on-street car parking spaces.

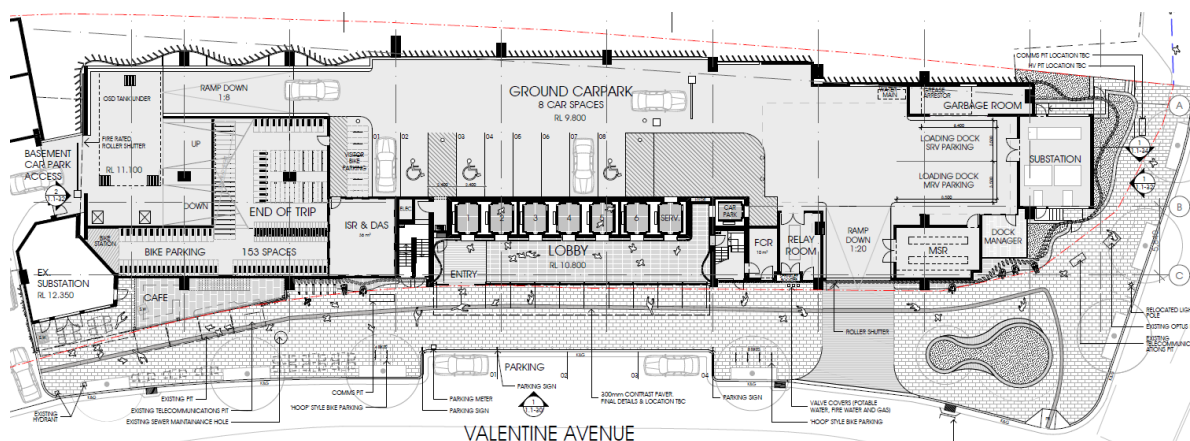


Figure 3. Proposed ground floor plan.

The proposal would result in the following:

- Reduction in the amount of car parking on the site from 289 to 160 spaces (-129, -45%) [these figures include existing car parking spaces on west side of site];
- Increase in the amount of commercial floor space on the site from 17,600m² to 27,151m² (+9,551m², +54%);
- Reduction in the amount of on-street parking on the Valentine Avenue frontage from 10 to 4 spaces (-6, -60%).



Figure 4. Photomontages of proposal as viewed from the south (left) and east (right).

Summary of Amended Proposal

In response to concern's raised by the Design Competition Jury and Council officers the applicant submitted revised drawings which included the following changes:

- Reduction in the height of the above ground car park from 9 to 6 storeys;
- Reduction in overall building height from 61.3m to 54.6m (-6.7m, -11%);
- Full demolition of existing above ground car park from partial demolition; and
- Increase in rear setback from 0m to 1m.

5. Referrals

The following referrals were undertaken during the assessment process:

5.1 Sydney Central City Planning Panel (SCCPP) Briefing

Issues Raised	Comment
Briefing (7 February 2018)	
Lack of external solar shading on north-east façade	<p>The applicant contends that external solar shading on the north-east façade is not necessary to achieve targeted star ratings.</p> <p>Council's ESD consultant does not consider that the applicant has adequately demonstrated that external shading is not necessary to achieve the stated star ratings. Further, the consultant considers that external shading would also reduce reflected heat and light into the public domain. The Design Excellence Jury consider that external shading is necessary for the building to achieve 'design excellence' and thus satisfy the requirements of Clause 7.10 of the LEP. As such a condition is included requiring external shading. The building already includes external shading on the north-west façade and as such it can be easily accommodated on the north-east façade. More discussion is provided in Section 9.1 below.</p>
Tress on adjoining site	<p>The applicant has provided an Arborist Report and a further peer review by a separate Arborist outlining that the trees on the adjoining site can be safely retained.</p> <p>Council's Landscape Officer has accepted that the trees can be safely retained subject to conditions of consent restricting excavation around the root zone and limiting pruning of branches.</p>

5.2 Design Excellence Jury

The Design Excellence Jury considered the application 23 January 2018. The Jury support the proposal and are satisfied that it is consistent with the original Design Competition winning scheme and constitutes 'design excellence' subject to conditions including, but not limited to:

- Retention of competition architect;
- Consideration of further 3D renders and section drawings prior to construction;
- Presentation of a 1:1 prototype of podium screening (min. 3m x 3m) prior to construction;
- A design statement justifying external columns and allowing for their removal if desired; and
- External shading of north-east façade.

The Design Excellence Jury's full comments are included at Attachment 4.

5.3 External

Authority	Comment
Roads and Maritime Services (Traffic Generating Development)	No objection subject to conditions including requirement for 158 bicycle parking spaces (165 proposed), a Construction Pedestrian and Traffic Management Plan, and compliance with Australian Standards.
Endeavour Energy	No objection subject to standard safety conditions.
Sydney Trains	Concurrence provided subject to conditions primarily relating to structural stability of adjoining rail embankment.
Sydney Water	No response. Standard Sydney Water Act 1994 conditions applied.
Transport for NSW	Acceptable subject to condition requiring Loading Dock Management Plan and Construction Pedestrian and Traffic Management Plan.

5.4 Internal

Authority	Comment
Development & Catchment Engineer	Above flood planning level. New stormwater pipe in street acceptable. OSD appropriate. Acceptable subject to conditions.
Tree & Landscape Officer	Initially raised concern relating to impact of proposal on 2 large trees on adjoining Sydney Trains rail reserve. Applicant subsequently provided sufficient evidence to demonstrate trees could be safely retained. Council officer subsequently provided conditions of consent to protect trees. All other tree removal is considered to be acceptable.
Traffic & Transport	Acceptable subject to conditions including carpark compliance with Australian Standards, increase in width of driveway to more safely accommodate 2-way traffic, Construction Pedestrian and Traffic Management Plan, loading within the site and provision of a car share space.
Environmental Health – Acoustic	Acceptable subject to standard acoustic impact conditions.
Environmental Health – Contamination	Acceptable subject to condition requiring notification of any contamination issues which come to light during demolition/construction.
Environmental Health – Waste	Acceptable subject to standard conditions relating to storage and collection of waste.
Civil Assets	New kerb alignment acceptable subject to detailed design conditions.
Public Domain	Generally acceptable subject to conditions requiring detailed public domain drawings be submitted for approval.

Authority	Comment
	Raised concern with lack of consistent, evenly spaced, street tree planting (specifically the omission of 1 tree to provide visibility of digital lobby screen). On balance omission of tree is considered to be acceptable as it provides more visibility of public art.
Public Art	Acceptable subject to condition restricting use of screen to art only and not advertising, TV broadcasts and the like.
Heritage	Given the nature of the proposal, the separation between sites, and the nature of significance of the item, it is assessed that impact on heritage values of the item and the area would be within acceptable limits. The site has been excavated in the past and is registered as having nil archaeological potential in Council records.
Environmentally Sustainable Development	Acceptable subject to conditions including external shading on north-east façade, provision of dual piping, and achievement of the sustainability standards offered by the applicant.

6. Environmental Planning and Assessment Act 1979

The sections of this Act which require consideration are addressed below:

6.1 Section 1.7: Significant effect on threatened species, populations or ecological communities, or their habitats

The site is in an established urban area with low ecological significance. No threatened species, populations or ecological communities, or their habitats are impacted by the proposal.

6.2 Section 4.15: Evaluation

This section specifies the matters which a consent authority must consider when determining a development application, and these are addressed in the Table below:

Provision	Comment
Section 4.15(1)(a)(i) - Environmental planning instruments	Refer to section 7
Section 4.15(1)(a)(ii) - Draft environmental planning instruments	Refer to section 8
Section 4.15(1)(a)(iii) – Development control plans	Refer to section 9
Section 4.15(1)(a)(iia) - Planning Agreement	Refer to section 10
Section 4.15(1)(a)(iv) - The Regulations	Refer to section 11
Section 4.15(1)(a)(v) - Coastal zone management plan	Not applicable.
Section 4.15(1)(b) - Likely impacts	Refer to section 12
Section 4.15(1)(c) - Site suitability	Refer to section 13
Section 4.15(1)(d) – Submissions	Refer to section 14
Section 4.15(1)(e) - The public interest	Refer to section 15

Table 2: Section 4.15(1)(a) considerations

7. Environmental planning instruments

7.1 Overview

The instruments applicable to this application comprise:

- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- SEPP (Sydney Harbour Catchment) 2005
- SEPP No. 55 (Remediation)

- SEPP No. 64 (Advertising & Signage)
- Parramatta Local Environmental Plan 2011

Compliance with these instruments is addressed below.

7.2 State Environmental Planning Policy (Infrastructure) 2007

The proposal is considered to constitute 'traffic generating development' as it proposes more than 2,500sqm of additional commercial floor space within 90m of connection to a classified road. As such, the proposal was referred to Roads and Maritime Services (RMS), who did not raise any objection subject to the imposition of relevant conditions (outlined in Section 5 above).

7.3 State Environmental Planning Policy (State and Regional Development) 2011

As this proposal has a Capital Investment Value of more than \$20 million, Part 4 of this Policy provides that the Sydney Central City Planning Panel is the consent authority for this application.

7.4 State Environmental Planning Policy (Sydney Harbour Catchment) 2005

This Policy, which applies to the whole of the Parramatta local government area, aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole. The nature of this project and the location of the site are such that there are no specific controls which directly apply, with the exception of the objective of improved water quality. That outcome would be achieved through the imposition of suitable conditions to address the collection and discharge of water during construction and operational phases.

7.5 State Environmental Planning Policy No. 55 – Remediation of land

The development includes no major excavation works. The only ground penetration would be for the provision of an OSD tank, lift pit, and piling. Notwithstanding the application is accompanied by a Preliminary Site Investigation Report. The investigation included 6 boreholes across the site. Analysis of the soil samples found no contaminants above acceptable limits. No asbestos was identified on site. The report concludes that the site is suitable in its current form for the proposed commercial uses. As such the site is considered to satisfy the requirements of SEPP 55.

7.6 State Environmental Planning Policy No. 64 – Advertising and Signage

The application proposes the erection and display of the following 4 x building identification signs:

- Wall sign, top storey, north-west elevation (4.3m x 3.3m);
- Wall sign, top storey, north-east elevation (11.6m x 3.3m);
- Wall sign, top storey, south-west elevation (9.5m x 2.8m);
- Wall sign, top storey, south-east elevation (4.3m x 3.3m).

SEPP No. 64 was gazetted on 16 March 2001 and aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish.

Clause 8 of SEPP No. 64 states the following:

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) *that the signage is consistent with the objectives of this policy ...and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

Aims and Objectives

The proposed signage is compatible with the desired amenity and visual character of the area, provides effective communication in suitable locations, is of high quality design and finish, and is therefore consistent with the aims and objectives of Clause 3 of SEPP No. 64.

Assessment Criteria

The following table outlines the manner in which the proposed signage satisfies the assessment criteria of SEPP No. 64.

Consideration	Comment
1 Character of the area	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes. The site is located in a city centre. The city centre is characterised by large building identification wall signs. As such the proposal is considered to be in keeping with the existing and desired future character of the area.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is not considered to be an established character or theme in the area.
2 Special areas	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The site is not located in a heritage conservation area. The adjoining heritage train station buildings to the north-west are sufficiently setback from the proposal so as not to be detrimentally affected by the signage.
3 Views and vistas	
Does the proposal obscure or compromise important views?	There are no important views in the vicinity of the site. The signs are wall mounted and do not contribute to additional view loss.
Does the proposal dominate the skyline and reduce the quality of vistas?	The signs are below parapet height and in keeping with the scale of the building and as such do not dominate the skyline or reduce the quality of vistas.
Does the proposal respect the viewing rights of other advertisers?	There are no other signs in the vicinity of the site which would be compromised by the proposed signs.
4 Streetscape, setting or landscape	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signs are considered to be in keeping with the scale and proportions of the city centre location.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signs add visual interest to the proposed facades.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	There is no existing advertising on the site.

Does the proposal screen unsightliness?	There is no relevant unsightliness that requires screening.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signs do not protrude above the building. The building is generally in keeping with the height of adjoining and nearby buildings. The signage would be above tree copies.
Does the proposal require ongoing vegetation management?	No vegetation is proposed in the vicinity of the signage.
5 Site and building	
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signs are considered to be in keeping with the scale and proportions of the proposed building.
Does the proposal respect important features of the site or building, or both?	The proposed signs do not detract from the design of the building. There are no important site features.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signs are considered an appropriate response to the contemporary building design.
6 Associated devices and logos with advertisements and advertising structures	
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The proposed signage only includes the logo of the building owner it identifies and as such are considered acceptable.
7 Illumination	
Would illumination result in unacceptable glare?	The level of glare would be commensurate with the city centre location.
Would illumination affect safety for pedestrians, vehicles or aircraft?	The signs are well above ground level, and as such would not affect the safety of pedestrians or vehicles, but are not so high that they would affect the safety of aircraft.
Would illumination detract from the amenity of any residence or other form of accommodation?	The proposal is adjacent to residential units to the south-east, across Parkes Street. As such, it is not considered appropriate for the sign on the south-eastern façade to be illuminated, particularly given there would be 3 other signs on the building. As such a condition is included to this effect.
Can the intensity of the illumination be adjusted, if necessary?	This is not clear from the information submitted. Regardless, a condition is included limiting illumination.
Is the illumination subject to a curfew?	A condition is included limiting hours of illumination.
8 Safety	
Would the proposal reduce the safety for any public road?	The signs include no digital screens, no flashing lights and are well above ground level. As such they are not considered to affect the safety of road users.
Would the proposal reduce the safety for pedestrians or bicyclists?	The signs are not located in footpaths or cycle ways. As such the signs would not affect the amenity of pedestrians or cyclists.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signs are well above ground level and as such they would not compromise the safety of pedestrians.

For the reasons listed above the proposed signage is considered to be acceptable subject to conditions.

7.7 Parramatta Local Environmental Plan 2011

The relevant objectives and requirements of the Parramatta Local Environmental Plan 2011 have been considered in the assessment of the development application and are contained within the following table.

Development standard	Proposal	Compliance
2.3 Zoning B3 – Commercial Core	The proposed use is defined as commercial premises which are permissible with development consent in the zone.	Yes
Zone Objectives	<p>The proposal is considered to be in keeping with the objectives of the B3 Commercial Core zone for the following reasons:</p> <ul style="list-style-type: none"> • The proposal provides an appropriate mix of land uses; • The proposal provides additional employment opportunities in a highly accessible area; • The proposal reduces car parking on the site; • The proposal provides upgrades to the public domain; and • The proposal does not adversely affect heritage. 	Yes
4.3 Height of Buildings Control: 62.1m [subject to clause 7.10(8)]	Max Height: 54.6m	Yes
4.4 Floor Space Ratio Control: 6.9:1 (27,152m ²) [subject to clause 7.10(8)]	Total GFA: 27,151m ² (6.9:1)	Yes
4.6 Exceptions to Development Standards		N/A
5.9 Preservation of trees or vegetation	<p>The proposal includes the removal of 13 trees from the subject site and 10 trees in the public domain.</p> <p>The landscape plan submitted with the application outlines the planting of no trees on the subject site and 9 street trees.</p> <p>While the proposal would result in a net loss of trees the application includes green walls that would minimise the impact to flora and fauna. Given the city centre location the lack of planting is considered to be acceptable.</p>	Yes
5.10 Heritage conservation	<p>There is sufficient separation between the proposal and the adjoining heritage items such that the proposal would not have a direct impact on their stability or immediate curtilage.</p> <p>Given the separation it is considered that the impact on significant views and on the significance of the items in general would be acceptable.</p> <p>The site is identified as being of low Aboriginal heritage and includes only minor excavation and as such is considered unlikely to disturb any relics.</p>	Yes

Development standard	Proposal	Compliance
	As such the proposal is considered to be have an acceptable heritage conservation impact.	
6.1 Acid Sulfate Soils Class 4/5	Only the southern tip of the site is classified as Class 4. The boreholes did not encounter any acid sulfate soils in this location. As such the proposal is not considered likely to be affected by acid sulfate soils.	Yes
6.2 Earthworks	Minimum excavation, limited to new services, plant and piling is proposed. The level of excavation is not likely to have an unacceptable impact on drainage patterns or waterways. No fill is proposed and there would be limited excavated soil. Council's engineers and Sydney Trains are satisfied, subject to conditions, that the proposal would not affect the stability of the existing building or adjoining/nearby land. As such the proposed earthworks are considered to be acceptable.	Yes
6.3 Flood Planning	The southern end of the site is subject to a 1:20 year, 1:100 year and Probable Maximum Flood flood risk from Parramatta River. These flows are defined as high hazard. The proposed building floor levels and vehicular access points have been designed to be appropriately above the assumed flood level. Conditions are included to ensure the building would adequately respond to the risk.	Yes
6.4 Biodiversity Protection	As outlined above the proposal would result in a net decrease in tree planting on the site but would provide additional habitat in the form of green walls.	Yes
6.5 Water Protection	The site is upstream of the Parramatta River. Conditions have been included to ensure the proposal does not result in erosion or sedimentation to the waterway.	Yes
7.3 Car Parking Control (Maximums): Commercial – 1/100m ² (271) Shops – 1/30m ² (1) Total – 272	160 spaces proposed (across entire site)	Yes
7.4 Sun Access	The proposal would not overshadow Jubilee Park, Parramatta Square or Lancer Barracks during the solar protection window (i.e. 12pm – 2pm).	Yes
7.6 Air Space Operations	The Bankstown Airport OLS of 156m AHD is not breached. As such an aeronautical referral is not required.	N/A

Development standard	Proposal	Compliance
7.10 Design Excellence	The proposal is the winning entry in a design competition and has received the designation of 'design excellence'. The design as submitted has been reviewed by the original design jury and found to be acceptable subject to conditions (see Section 5.2 above). As such the proposal is eligible for height and floor space bonuses of 15%.	Yes

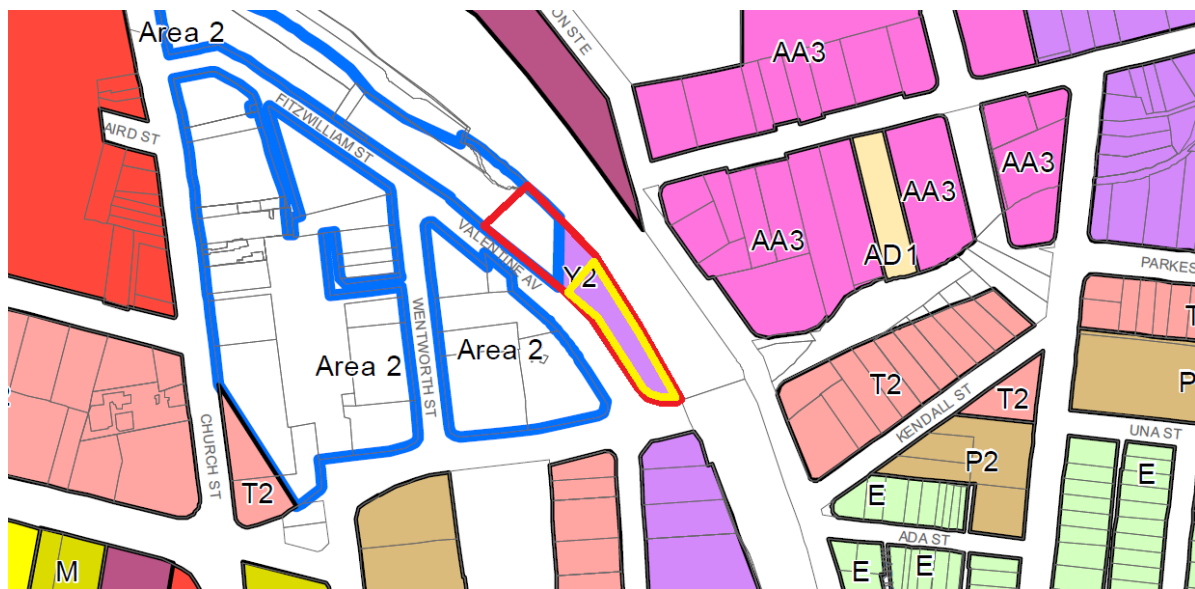


Figure 5. PLEP 2011 Height of Buildings map (subject site outlined in red, location of proposed tower in yellow). The tower is located fully within a section of the site with a height limit of 54m.

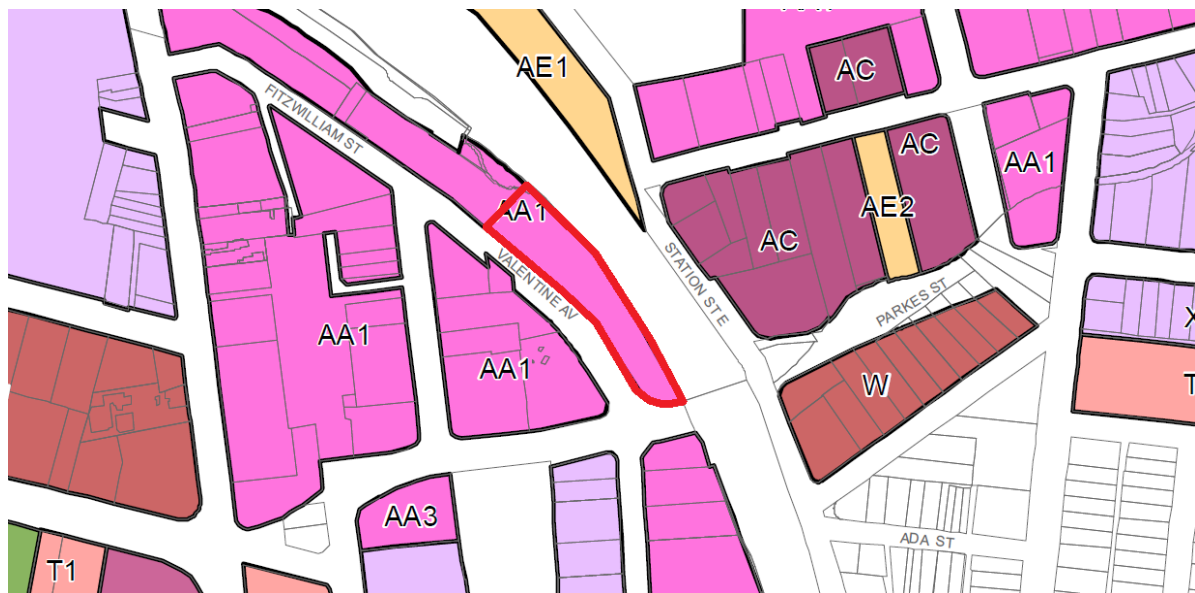


Figure 6. PLEP 2011 Floor Space Ratio map (subject site outlined in red). The 'AA1' notation represents an allowable FSR of 6:1.

8. Draft Planning Instruments

8.1 Parramatta CBD Planning Proposal

Council endorsed the recommendations of the Parramatta CBD Strategic Transport Study on 10 April 2017. The study recommended that City of Sydney car parking rates be included as part of the Parramatta CBD Planning Proposal. While this Planning Proposal has not yet received gateway approval or been notified it was resolved that these rates should be applied to all future design competitions and planning proposals. Using City of Sydney rates, and taking into account the amount of commercial floor space proposed, the subject site would be able to accommodate a maximum of 78 spaces. However, the design competition for the proposal was already well progressed at the time of the above resolution. As such it is considered appropriate to adhere to a compromise between the LEP rates (max 272 spaces) and the City of Sydney rates (max 78 spaces). The proposal, at 160 car parking spaces, is less than half of the difference between the two rates and as such is considered to be acceptable.

9. Development Control Plans

9.1 Parramatta Development Control Plan 2011

An assessment of the proposal against the relevant controls in the Parramatta Development Control Plan 2011 is provided below:

Development Control	Proposal	Comply
2.4 Site Considerations		
2.4.1 Views and Vistas	<p>The site is not identified as having significant views and vistas by Appendix 2 and is not located in the Harris Park Conservation Area.</p> <p>As per the NSW Land and Environment Court Planning Principle established in <i>Tenacity Consulting v Waringah [2004] NSWLEC 140</i> the proposal is considered to acceptably share views for the following reasons:</p> <ul style="list-style-type: none">• The views to be lost by adjoining properties are not water views, are not iconic view, but rather are general city views. Regardless, adjoining/units would still maintain general district views either side of the proposal. As such the view loss is considered to be negligible.• The proposal complies with the relevant height controls. <p>While the proposal includes non-compliances with upper level setbacks the impact on views is negligible and as such is not considered to be reason to refuse the application.</p>	Yes
2.4.2 Water Management	<p>The proposal is not considered likely to impact on the quality of Parramatta River due to the provision of sufficient on-site drainage, water treatment and its distance from the river. Minimal excavation is proposed and as such it is considered unlikely to have an unacceptable impact on groundwater.</p>	Yes

Development Control	Proposal	Comply
2.4.3 Soil Management	<p>The proposal includes a preliminary erosion and sediment control plan. It is considered that standard conditions of consent would be sufficient to ensure the objectives of the control are achieved.</p> <p>See Acid Sulfate Soils section above.</p> <p>The site is identified as being of moderate salinity potential. Minimal excavation is proposed. As such it is not considered that any special measures are necessary.</p>	Yes
2.4.4 Land Contamination	See SEPP 55 section above.	Yes
2.4.5 Air Quality	The proposal is not considered likely to result in unacceptable air quality impacts.	Yes
2.4.6 Development on Sloping Land	The site slopes down from north to south. While the building does not step down with the land, it takes advantage of the land leveling undertaken for development of the existing above ground car park. As such the proposal is considered to satisfy the objectives of the control.	Yes
2.4.7 Biodiversity	See LEP Clause 6.4 above.	Yes
2.4.8 Public Domain	<p>The proposal includes upgrades to the public domain including widened pavement, new street trees, bicycle parking and seating. See further discussion at end of table below.</p> <p>The proposed building provides adequate address to the public domain, and would permit passive surveillance of the public domain.</p>	Yes
3.1 Preliminary Building Envelope		
See Section 4.1.6 below.		
3.2. Building Elements		
3.2.1 Building Form and Massing	While the proposed building has a large footprint, and is in close proximity to adjoining towers, it is considered to be acceptable given the office use and CBD location of the proposal. The design has been awarded design excellence.	Yes
3.2.2 Building Façade and Articulation	The primarily glazed façade is considered to be in keeping with the character of the area and the type of use (office). The cladding to the car park and the separation between podium and tower would add visual interest.	Yes
3.2.3 Roof Design	The building is terminated by a plant zone sheathed in glazing. This is considered to maintain a clean flat roof form in keeping with the character of the area.	Yes

Development Control	Proposal	Comply
3.2.4 Energy Efficient Design	<p>The applicant has targeted 5 star NABERS and 5 star Green Star ratings. Specific initiatives include, but are not limited to, high quality glazing, external solar shading on north-west facade and photovoltaics. Conditions are included to secure delivery of these initiatives.</p> <p>Council's ESD consultant considers that the applicant has not adequately demonstrated that external solar shading on the north-eastern façade is not necessary to meet these targets. As such a condition is included to this effect. See further discussion at the end of this table.</p>	Yes, subject to condition
3.2.5 Streetscape	<p>The new structure, which replaces an unsightly above ground car park, would significantly improve the streetscape in Valentine Avenue. A new retail unit and commercial lobby would significantly activate the southern end of Valentine Avenue.</p> <p>The proposal does not activate its Parkes Street frontage. However, this part of the site is subject to high hazard flooding and as such is not able to accommodate any ground level activation.</p>	Yes
3.3 Environmental Amenity		
3.3.1 Landscaping	Due to the narrow width of the site and inner city location it is not considered possible or reasonable to require ground level planting on the subject site. Several green walls are proposed at ground level. On balance this is considered to be acceptable.	Yes
3.3.3 Visual and Acoustic Privacy	<p>The proposal is in close proximity to the adjoining office building. However, given the less sensitive nature of the use, the level of visual separation is considered to be acceptable. The proposal is adequately separated from other nearby uses to maintain privacy.</p> <p>The primary noise emanating from the site would be from plant and equipment. This plant would be fully enclosed and set back from the facades of the building. A standard condition relating to noise amenity is considered to be sufficient to ensure acoustic privacy.</p>	Yes
3.3.4 Acoustic Amenity	The nearest residential uses are located opposite Parkes Street to the south. The primary entry to the new commercial floor space is located on Valentine Avenue. The proposal includes a small retail unit on Valentine Avenue. Given the city centre nature of the area this is not considered likely to result in a discernable increase in noise for adjoining properties. A condition of consent limiting the hours of operation of the café use are included.	Yes

Development Control	Proposal	Comply
3.3.5 Solar Access	While the proposal would result in a tall building directly to the north of shop top housing, due to the generally north-south orientation of the building the shadow would be fast moving. The north facing units to the south would still receive morning and afternoon sun. As such all affected units would still receive the required solar access of 2 hours sunlight to habitable rooms and 50% of their private open space areas between 9am and 3pm on 21 June.	Yes
3.3.6 Water Sensitive Urban Design	The proposed building is considered to achieve the relevant water efficiency objectives as the applicant has committed to 4 star NABERS water and 5 star GreenStar. The applicant has also committed to the provision of dual plumbing and provision for future connection into a Precinct Supply once available. Conditions are included to secure delivery of these initiatives. An OSD tank is included.	Yes
3.3.7 Waste Management	<p>The applicant has submitted a waste management plan which details estimated waste volumes for the demolition and construction stages. The waste management plan is considered to be acceptable.</p> <p>The ongoing waste management has been addressed by the provision of a waste storage room.</p> <p>Conditions are included to ensure waste is accommodated appropriately.</p>	Yes
3.4 Social Amenity		
3.4.1 Culture and Public Art	<p>The application is accompanied by a Public Arts Strategy which outlines the provision of a large digital screen in the lobby. The screen would be used solely for the depiction of art. The Strategy includes a process for selection of artists.</p> <p>The location is supported as it would be highly visible from the public domain and marks the entry to the building.</p> <p>The Public Arts Plan is supported by Council's Public Art officer and is considered to be acceptable subject to a condition restricting use of the screen for advertising, TV broadcast and the like.</p>	Yes
3.4.2 Access for People with Disabilities	<p>The application is accompanied by an Access Compatibility Statement which concludes that the proposal can comply with the relevant access requirements.</p> <p>The architectural drawings demonstrate that</p>	Yes

Development Control	Proposal	Comply
	there is an accessible path of travel to all areas of the building including level thresholds at ground level and ramps of appropriate gradient. Conditions are included requiring compliance.	
3.4.4 Safety and Security	<p>The proposal is not considered likely to contribute to the provision of any increased opportunity for criminal or anti-social behavior for the following reasons:</p> <ul style="list-style-type: none"> • The primary building entrance is easily identifiable from the street; • Natural surveillance of the public domain would be significantly increased with the proposed level of occupancy; • The introduction of a new retail unit at ground level would increase activation; • The private areas are clearly delineated; and • Access to the carpark would be secured with an access gate. 	Yes
3.5 Heritage		
3.5.1 General	<p>The site of the proposed development is not individually heritage listed, however, it is in the vicinity of several listed items, notably backing onto Parramatta Railway Station.</p> <p>Given the nature of the proposal, the separation between sites, and the nature of significance of the item, it is assessed that impact on heritage values of the item and the area would be within acceptable limits.</p> <p>The heritage impacts are minor and were envisaged by the planning controls and as such the proposal is not considered likely to have an unacceptable impact on heritage.</p>	Yes
3.5.2 Archaeology	The site has been excavated in the past and is registered as having nil archaeological potential in Council maps.	Yes
3.5.3 Aboriginal Cultural Heritage	The site is identified as having low sensitivity for Aboriginal Cultural Heritage impact on Council's mapping system. The proposal includes minor additional excavation and as such is considered unlikely to encounter Aboriginal relics.	Yes
3.6 Movement and Circulation		
3.6.1 Sustainable Transport		
Car Share		No, acceptable subject to condition requiring 1 car share space
1 car share if over 5,000sqm commercial	0	

Development Control	Proposal	Comply
Green Travel Plan Required for >5,000sqm commercial	Not provided.	No, acceptable subject to condition requiring Green Travel Plan.
3.6.2 Parking and Vehicular Access		
Car Parking Control	See Parramatta City Centre section below.	N/A
Loading Docks 1/400sqm (24)	2	No. Control not considered to be achievable. Loading dock management plan to be conditioned
Bicycle Parking 1 bicycle space per 200m ² of floor space (9,551m ²) = 48	165 at ground level. Good quality end of trip facilities, including change rooms, showers and lockers provided as part of podium amenity level.	Yes
4.3.3 Strategic Precinct - Parramatta City Centre		
Objectives	The proposal is considered to be consistent with the objectives of the strategic precinct: <ul style="list-style-type: none"> • The proposal provides commercial floor space in an accessible location. • The building has achieved design excellence. • The proposal upgrades the public domain. • The proposal would not have an unacceptable impact on heritage. 	Yes
4.3.3.1 Building Form		
Street Frontage >20m	Valentine Avenue ~ 90m (development parcel) Parkes Street ~ 20 (development parcel)	Yes
Front Setback = 0m or in keeping with adjoining	Valentine Avenue – 0-6m Parkes Street – 2-11m The Valentine Avenue setback is in keeping with the existing commercial building on the site.	Yes
Street Frontage Heights 6m setback above 26m	0m	No, acceptable based on site constraints and design competition
Building length <45m	81.6m (81% breach)	No, acceptable based on site constraints and design competition
Offices All GFA <12m from window	Majority of office GFA <12m from window	Yes
Side Setback 6m above 26m	6m within the site to the existing 10 Valentine building	Yes

Development Control	Proposal	Comply
Rear Setback 12m above 26m	1m	No, acceptable due to the narrow width of the site and the built form separation provided by the train reserve to the rear.
Wind Mitigation	The application is supported by a wind report which concludes that the proposal is likely to result in similar wind conditions to that which currently exist and would not have an unacceptable impact on the safety of pedestrians. An awning is provided to the primary entrance which would provide additional comfort for pedestrians.	Yes
Buildings Exteriors	<p>The Design Excellence Jury consider the proposed materials pallet to be in keeping with design excellence principles. A condition is included requiring the jury inspect samples of the podium façade louvers prior to construction certificate.</p> <p>The jury consider that external shading is necessary on the north-east façade to achieve design excellence in sustainability. A condition is included to this effect.</p> <p>The design jury have questioned the necessity of external structural columns given the existing car park is no longer to be retained. A condition is included requiring additional justification for the columns and providing the option to remove them should they not be necessary.</p> <p>A reflectivity analysis has been provided which concludes that the proposal would not result in unacceptable glare in the public domain or in adjoining/nearby properties. Notwithstanding, a condition is included limiting reflectivity to 20%.</p>	Yes
Sun Access to Public Spaces	The proposal does not overshadow any of the protected areas.	Yes
4.3.3.2 Mixed Use Buildings		
Street Activation	The proposal provides a new retail unit at ground level on the Valentine Avenue frontage which would help to activate an otherwise long section of service frontage.	Yes
Floor Heights Ground – 3.6m Above – 2.7m	Lobby > 3.6m >2.7m	Yes

Development Control	Proposal	Comply
Servicing	<p>The new commercial building would be serviced by a relocated cross over to Valentine Avenue.</p> <p>A double height servicing area is provided with space for two servicing vehicles (1 x small rigid vehicle, 1 x medium rigid vehicle).</p> <p>Council's traffic engineers recommend the vehicular access be widened to 6m to ensure lack of conflict between exiting private vehicles and entering service vehicles.</p> <p>Transport for NSW have recommended a loading dock management plan be required by condition.</p>	Yes
4.3.3.3 Public Domain and Pedestrian Amenity		
Active Frontages Min 50% Primary Min 40% Secondary	<p>Primary (Valentine) – $37.7\text{m}/82.5\text{m}^* = 46\%$ Secondary (Parkes) – $0\text{m}/20\text{m} = 0\%$</p> <p>*not including existing substation</p> <p>The slight under provision of activation on Valentine Avenue is considered to be acceptable given the narrow width of the site and difficulty of providing sufficiently deep units while providing internal vehicular access.</p> <p>The lack of Parkes Street activation is considered to be acceptable given the flooding constraint.</p>	No, acceptable.
Continuous Awning	Not required by DCP in this location. Awning provided to entrance regardless.	N/A
4.3.3.5 Access and Parking		
Location of Vehicle Access	Private vehicles would ingress at the access for the existing tower parking on the northern portion of the site before crossing into the parking structure. Private vehicles would exit via the reconstructed cross-over to the south of the site. Service vehicles would enter and exit via the new cross-over.	Yes
Design of Vehicle Access	The service dock door would be treated in keeping with the rest of the podium and as such would provide a seamless blend.	Yes
Pedestrian Access and Mobility	The main office entrance is demarcated by a multi storey glazed lobby fronting Valentine Avenue. The entrance is at grade. Continuous step free access is provided throughout the building.	Yes
Vehicular Driveways and Maneuvering Areas	All vehicles would be able to enter and exit in a forward direction. A condition is included requiring the driveway be widened slightly to reduce the likelihood of conflict between service vehicles entering and private vehicles existing.	Yes

Development Control	Proposal	Comply
	The primary pedestrian entrance is set >28m away from the vehicular access.	
On-site parking Motorcycle 1 car parking space per 50 car parking spaces (~13)	31	Yes
Above ground parking design	The preferred location of car parking in the Parramatta CBD is in basements. However, the proposal for above ground car parking in this location is considered to be acceptable. See discussion at end of this table.	Yes
4.3.3.6 Environmental Management		
Landscape Design	Due to the narrow width of the site there is minimal opportunity for ground level planting. Street trees are provided generally in accordance with Council's Public Domain Guidelines.	Yes
Planting on Structures	The proposal includes green walls at ground level. Details are included in the landscape plan. A condition is included to secure these walls.	Yes
Green Roof	Green roofing is not possible as the entire roof area would be occupied by photovoltaic panels.	Yes
Energy and Water Efficient Design	NABERS 5 star Energy and NABERS 4 star water are proposed and conditioned. Further discussion above and below.	Yes
Recycled Water	Dual plumbing and provision for future connection into a Precinct Supply (once available) is proposed and conditioned. Further discussion above.	Yes
4.3.3.8 Design Excellence		
	The applicant has followed the design excellence competition process outlined in the DCP and the proposal has been granted design excellence by the jury. The jury have support the application subject to above-mentioned conditions of consent.	Yes

Above Ground Parking

The Parramatta DCP 2011 seeks to avoid above ground car parking in the Parramatta CBD wherever possible and, in the event that basement carparking is not possible, provide appropriate sleeved uses around above ground car parking.

The proposal for above-ground car parking, which is not fully sleeved, is considered to be acceptable for the following reasons:

- Basement car parking in this location is not possible due to the presence of the Sydney Metro West corridor under the site and the high flood risk on the southern portion of the site.
- Significant excavation would have the potential to destabilise the adjoining Sydney Western train line.
- Commercial floor space at ground and first floor level would have poor outlook due to the presence of the adjoining rail embankment.
- The car parking element would be screened by 'design excellent' ornamental fins which screen the unsightliness of the car parking levels while still allowing natural ventilation.
- Part of the car park is 'sleeved' by the new retail unit at ground level and the multi-storey commercial lobby. It is not possible to sleeve more of the car park due to the narrow width of the site and flood risk on Parkes Street.
- The proposal is replacing existing unsightly above ground car parking.
- There are few sensitive acoustic receptors in the vicinity of the site.

The DCP also recommends providing increased floor to ceiling heights in above ground car parking levels to allow for potential conversion to office space should parking spaces no longer be desirable in the future. In this case, Council officers considered that this was not appropriate for the following reasons:

- The urban design benefit of minimising the height and visual impact of the car parking podium.
- Commercial floor space at ground and first floor level would have poor outlook due to the presence of the adjoining rail embankment.
- The difficulty in accommodating the longer car parking ramps necessary to service increased floor to ceiling heights.

Revised Road Alignment

The proposal includes significant upgrades to the public domain on Valentine Avenue and Parkes Street, including widened footpath (by kerb realignment), street furniture and additional street tree planting. These elements were included in the Design Competition and were a determining factor for the design excellence jury in awarding the winning scheme.

The widened footpath comes at the expense of the road carriageway. While this is acceptable as long as Valentine Avenue remains a one-way street, Council is currently undertaking a wider study on traffic flows in the southern precinct of the city. It may be that the outcome of that study is that Valentine Avenue is required to become a 2-way street. If so it may be that the kerb cannot be realigned exactly as currently proposed.

As such a condition is included requiring resubmission of the drawings prior to construction with the option of reverting to a narrower footpath area if the results of the study find a 2-way Valentine Avenue is necessary.

External Shading North-East Facade

In selecting the project architect as the winner of the design competition the Design Competition Jury stated that they, "*were impressed with the core positioning [of the entry (as it allowed an unencumbered northern aspect)] and felt this provided the best outcome **providing north-east sun shading could be appropriately resolved***" (emphasis added).

During assessment Council officers requested that the applicant considered provision of external shading on the north-east façade. The applicant did not incorporate this architectural feature offering the following reasoning:

- Modelling has shown external solar shading would have a negligible impact on the heat loading of the building (1% reduction) and peak energy use (1.2% reduction);
- The façade as proposed would not compromise achievement of targeted energy ratings and performance standards as sufficient redundancy has been built in to the modelling;
- The selection of low-e coated double glazing complies with the 20% visible light reflectivity maximum;
- The shading elements would compromise the design of the façade;
- The shading elements would obstruct occupant views from within the building;
- The shading elements would reduce the amount of internal natural light; and
- The shading elements would compromise safe access during glass replacement.

The applicant's full technical justification for not providing external shading is contained in Appendix 5.

The Parramatta DCP 2011 make the following recommendations on the issue of sun shading:

- Design Principle P.12 in Parramatta DCP 2011 Section 3.3.5 'Solar Access and Cross Ventilation' states that, "*Building elements such as operable louvres and screens, pergolas, blinds etc should be used to modify environmental conditions where required, such as **maximizing solar access in winter and sun shading in summer***" (emphasis added).
- Objective O.7 in Parramatta DCP 2011 Section 4.3.3.1 'Building Form - Building Exteriors' seeks, "*to ensure that buildings in Parramatta City Centre restrict the reflection of sunlight from buildings to surrounding areas and buildings*".

The benefits of providing external solar shading include, but are not limited to, the following:

- Reduced heat load on a building, with a commensurate reduction in the amount of energy required to cool the building on hot days.
- Reflection of solar heat back into the sky to reduce the heat island effect in the city.
- Reduction of visible glare into the public domain.
- Reduced reliance upon low emissivity spectrally selective glazing that increase reflection of solar heat into the public domain and compound the heat island effect in the city.

It is considered that external shading should be provided to the north-east façade for the following reasons:

- Requiring shading would help achieve the environmental benefits outlined above.
- Council's ESD consultant is not satisfied that the applicant has reasonably demonstrated that external solar shading is not necessary to achieve the targeted star ratings.
- Clause 7.10(8) states that the consent authority may grant consent to erection of a new building with a height and floor space bonus only if the consent authority is satisfied that the building exhibits design excellence. In considering whether a development exhibits design excellence, Clause 7.10(4)(d)(vii-viii) requires that the consent authority consider whether development has regard to, "*environmental impacts, such as sustainable design, overshadowing and solar access, ... and reflectivity and the achievement of the principles of ecologically sustainable development*". It is the view of Council's ESD consultant and the Design Excellence Jury that external shading on the large and highly exposed north-east façade is necessary to achieve design excellence. Qualification for Design Excellence bonuses necessarily requires the achievement of standards above and beyond that

which are normally required by the development controls (i.e. Best Practice) as a way of offsetting the increased environmental impacts of additional height and FSR.

- The Parramatta DCP 2011 requires maximisation of sun shading as outlined above.
- Other applications for towers in the city centre currently under assessment are providing external solar shading to north facing facades (see Section 3.5 above).

With regard to the applicant's other contentions, they are not considered to be sufficient reason to offset the benefits of external shading as the north-west façade already includes the desired external shading and as such it is evident that this arrangement is tolerable in terms of design, views, light, and maintenance.

As such a condition is included requiring external shading to the north-east façade.

10. Planning Agreements

The subject application is not subject to a planning agreement.

11. The Regulations

The recommendation of this report includes conditions to ensure the following provisions of the Regulation would be satisfied:

- Clause 92 - Demolition works are to satisfy AS 2601 - 1991; and
- Clause 98 - Building works are to satisfy the Building Code of Australia.

12. The likely impacts of the development

The likely impacts of the development have been considered in this report. Fire safety would be addressed by way of appropriate conditions.

13. Site suitability

The subject site and locality is affected by flooding. Council's Engineering Department have assessed the application and considered the proposal to be satisfactorily designed to minimise risk to human safety and property. Suitable investigations and documentation has been provided to demonstrate that the site is suitable for the proposed development in terms of contamination and acid sulphate soils.

No other natural hazards or site constraints are likely to have a significant adverse impact on the proposed development. Accordingly, the site is considered to be suitable for the proposed development subject to relevant conditions.

14. Submissions

The application was notified and advertised in accordance with Appendix 5 of DCP 2011 for a 21-day period between 18 October and 8 November 2017. One (1) submission has been received. Submission issues are summarised and commented on as follows:

Issues Raised	Comment
<i>Loss of Solar Access</i>	The applicant has provided shadow diagrams which demonstrate that the proposal would not result in adjoining and nearby properties receiving less than the required 2 hours of solar access at midwinter between 9am and 3pm.
<i>Loss of View</i>	As outlined above, the proposal is considered to adequately share views.

<i>Loss of Trees</i>	The site is constrained in its ability to accommodate trees on site. The proposal includes green walls and street tree planting and as such is considered to result in an acceptable impact on flora given the city centre locality.
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15. Public interest

Subject to implementation of conditions of consent outlined in the recommendation below, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

16. Disclosure of Political Donations and Gifts

No disclosures of any political donations or gifts have been declared by the applicant or any organisation / persons that have made submissions in respect to the proposed development.

17. Development Contributions

As the cost of works exceeds \$200,000 a Section 7.12 development contribution of **3.0%** is required as per *Parramatta City Centre S94A Development Contribution Plan (Amendment No. 4)*. A Capital Investment Value Report was provided with the application which estimated a development cost of \$70,219,526. This estimate is considered to be commensurate with the works proposed. A standard condition of consent has been imposed requiring the contribution to be paid prior to the issue of the relevant Construction Certificates.

18. Summary and conclusion

The application has been assessed relative to Section 4.15 of the Environmental Planning and Assessment Act 1979, taking into consideration all relevant state and local planning controls. On balance the proposal has demonstrated a satisfactory response to the objectives and controls of the applicable planning framework. Accordingly, approval of the development application is recommended.

The proposed development is appropriately located within a locality earmarked for high-rise mixed use development, however some variations (as detailed above) in relation to Parramatta DCP 2011 are sought.

While the proposal is not compliant with several of the envelope controls contained in the Parramatta DCP 2011 this is considered to be acceptable given the narrow width of the site and the offsetting improvements to the public domain and screening of above ground car parking. Concerns relating to the lack of external solar shading are resolved via condition.

Having regard to the assessment of the proposal from a merit perspective, Council officers are satisfied that the development has been responsibly designed and provides for acceptable levels of amenity for future commercial occupants. It is considered that the proposal successfully minimises adverse impacts on the amenity of neighbouring properties. Hence the development, irrespective of the departures noted above, is consistent with the intentions of the relevant planning controls and represents a form of development contemplated by the relevant statutory and non-statutory controls applying to the land.

For these reasons, it is considered that the proposal is acceptable and is recommended for approval subject to conditions.

19. Recommendation

- A. **That** the Sydney Central City Planning Panel, as the consent authority, grant **Consent** to Development Application No. DA/841/2017 for a 14 storey mixed use building on corner of Valentine Avenue and Parkes Street, comprising ground floor retail unit, 6 storeys above ground car parking and 8 storeys commercial offices above; demolition of existing above ground car park; 4 building identification signs; landscaping; and public domain works at 10 Valentine Avenue, PARRAMATTA NSW 2150 (Lot 2 DP1119257) for a period of five (5) years from the date on the Notice of Determination subject to the conditions under Appendix 1.

“Appendix 1” to Section 4.15 Assessment Report - DA/841/2017

DRAFT CONDITIONS OF CONSENT

Development Consent No.: DA/841/2017
Property Address: 10 Valentine Avenue, PARRAMATTA NSW
2150 (Lot 2 STR 1119257)

General Matters

Standard Conditions

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

Drawing No.	Prepared By	Dated
<i>Architectural Drawings</i>		
Drawing List, Issue E	fitzpatrick + partners	06/02/2018
Location Plan, DA 1.1-01 – Issue A	fitzpatrick + partners	06/02/2018
Existing & Demolition Plans, DA 1.1-05 – Issue C	fitzpatrick + partners	06/02/2018
Context Plan, DA 1.1-06 – Issue C	fitzpatrick + partners	06/02/2018
Basement, DA 1.1-10 – Issue B	fitzpatrick + partners	06/02/2018
Ground Floor, DA 1.1-11 – Issue E	fitzpatrick + partners	06/02/2018
Carpark – L1, DA 1.1-12, Issue E	fitzpatrick + partners	06/02/2018
Carpark – L2, DA 1.1-13, Issue D	fitzpatrick + partners	06/02/2018
Typical Carpark L3 – L4, DA 1.1-15, Issue D	fitzpatrick + partners	06/02/2018
Carpark – L5, DA 1.1-16, Issue D	fitzpatrick + partners	06/02/2018
Podium Amenity – L6, DA 1.1-17, Issue C	fitzpatrick + partners	06/02/2018
Office Floor – L7, DA 1.1-18, Issue C	fitzpatrick + partners	06/02/2018
Typical Office – L8 – L12, DA.1.1-19 – Issue C	fitzpatrick + partners	06/02/2018
Office & Roof Plant – L13, DA 1.1-20, Issue D	fitzpatrick + partners	06/02/2018
Roof – Lift Motor Room, DA 1.1-22 – Issue D	fitzpatrick + partners	06/02/2018
West Elevation, DA 1.1-30 - Issue D	fitzpatrick + partners	06/02/2018
East Elevation, DA 1.1-31 - Issue D	fitzpatrick + partners	06/02/2018
North & South Elevations, DA 1.1-32 - Issue D	fitzpatrick + partners	06/02/2018
Sections AA & BB, DA 1.1-33 - Issue D	fitzpatrick + partners	06/02/2018
Sections CC, DA 1.1-34 - Issue D	fitzpatrick + partners	06/02/2018
Typical Podium Elevation Detail, DA 1.1-36 - Issue C	fitzpatrick + partners	06/02/2018
Vignettes 1, DA 1.1-37 - Issue D	fitzpatrick + partners	06/02/2018
Vignettes 2, DA 1.1-38 - Issue D	fitzpatrick + partners	06/02/2018
Vignettes 3, DA 1.1-39 - Issue D	fitzpatrick + partners	06/02/2018
Vignettes 4, DA 1.1-40 - Issue E	fitzpatrick + partners	06/02/2018
Vignettes 5, DA 1.1-41 - Issue E	fitzpatrick + partners	06/02/2018
Public Domain, DA 1.1-42 – Issue B	fitzpatrick + partners	06/02/2018
Façade Section Details, DA 1.1-43 – Issue A	fitzpatrick + partners	06/02/2018
Café Green Wall Details, DA 1.1-44 – Issue A	fitzpatrick + partners	06/02/2018

Typical Office Floor – Occupant Comfort Diagrams, DA 1.1-45 – Issue B	fitzpatrick + partners	06/02/2018
Area Schedule – DA 1.1-50 - Issue D	fitzpatrick + partners	18/12/2017
Perspective – Corner of Valentine Ave + Parkes Street, DA 1.1-60 - Issue C	fitzpatrick + partners	06/02/2018
Perspective – Lobby View From Valentine Ave, DA 1.1-61 – Issue C	fitzpatrick + partners	06/02/2018
Perspective – Corner of Parkes St + Station St, DA 1.1-62 – Issue B	fitzpatrick + partners	06/02/2018
Perspective – Corner of Station St + Smith St, DA 1.1-63 – Issue B	fitzpatrick + partners	06/02/2018
Perspective – Café Valentine Ave, DA 1.1-64 – Issue B	fitzpatrick + partners	06/02/2018
Landscape Plans		
Landscape Plan, DA-1725-01 – Issue D	Sturt Associates Noble	02/02/2018
Planting Schedule and Images, DA-1725-02 – Issue C	Sturt Associates Noble	02/02/2018
Civil Drawings		
Detail Sheet, 161403 – C04 (Rev. P2)	Taylor Whitting Thomson	08/09/2017
Public Domain – Notes & Legend Sheet, 161403 – C21 (Rev. P5)	Taylor Whitting Thomson	07/02/2018
Public Domain – Overall Plan, 161403 – C22 (Rev. P4)	Taylor Whitting Thomson	07/02/2018
Public Domain – Siteworks and Stormwater Plan – Sheet 1, 161403 – C23 (Rev. P4)	Taylor Whitting Thomson	06/02/2018
Public Domain – Siteworks and Stormwater Plan – Sheet 2, 161403 – C24 (Rev. P4)	Taylor Whitting Thomson	06/02/2018
Sections Sheet 1, 161403 – C30 (Rev. P2)	Taylor Whitting Thomson	06/02/2018
Sections Sheet 2, 161403 – C31 (Rev. P2)	Taylor Whitting Thomson	06/02/2018
Sections Sheet 3, 161403 – C32 (Rev. P3)	Taylor Whitting Thomson	07/02/2018
Public Domain – Longsection, 161403 – C33 (Rev. P2)	Taylor Whitting Thomson	06/02/2018
Details Sheet 1, 161403 – C35 (Rev. P1)	Taylor Whitting Thomson	06/02/2018
Details Sheet 2, 161403 – C36 (Rev. P1)	Taylor Whitting Thomson	06/02/2018

Document(s)	Prepared By	Dated
Statement of Environmental Effects, ref WTJ17-194_10 (DA1.1 – Rev. B)	Willowtree Planning Pty Ltd	14/11/2017
DA 1.1 – 10 Valentine Avenue, Parramatta (Architectural Design Statement)	fitzpatrick + partners	2017
Cost Plan No. 3 – DA Cost Plan (QS Report)	slattery – Julian Crow	15/09/2017
Report on Preliminary Site Investigation with Sampling, Ref. 85784.01 / R.001 (Rev. 2)	Douglas Partners	23/02/2017
Report on Geotechnical Investigation Ref. 85784.00 / R.001 (Rev. 1)	Douglas Partners	24/01/2017
Wind Assessment, Ref. 11628	CPP	29/08/2017
Solar Reflectivity Assessment, Ref. 11628	CPP	13/09/2017

Building Code of Australia Report, ref. 073982-06BCA (Scheme 1.1 – Rev. B) – Rev. F	mckenzie group	14/11/2017
Fire Engineering Capability Statement (S17166 Scheme 1.1 – Rev. B)	Olsson Fore & Risk Consulting Engineers	14/11/2017
Proposed Development Excavation Methodology in Proximity to Sydney Trains Rail Corridors, Ref. 161403SAAB	Taylor Thomson Whitting	23/10/2017
Parramatta DA1.1 Revision A Structural Report, Ref. 161403SAAB	Taylor Thomson Whitting	26/10/2017
Construction, Environmental and Traffic Management Plan, Ref. Version 1	Investa Property Group	September 2017
Public Arts Plan 10 Valentine Street, Parramatta (Investa on behalf of Australian Unity)	Investa Property Group	20/12/2017
Traffic Impact Assessment, Scheme 1.1 Rev D, Ref. 1614013 TAAA (Revision 5)	Taylor Thomson Whitting	21/12/2017
Response to Council Request for Information: Traffic and Transport, Ref. 161403	Taylor Thomson Whitting	21/12.2017
Stormwater Statement, Ref. 161403	Taylor Thomson Whitting	21/12/2017
Flood Study – Final v3, Ref. 161403P	Taylor Thomson Whitting	January 2017
Civil DA Report, Ref. 161403P	Taylor Thomson Whitting	September 2017
Façade Statement for DA, Ref, 17020-FALT-001(2) – Revision 2	Prism Facades	21/12/2017
Arboricultural Impact Assessment Report, Ref. 1725 Rev. A	Sturt Noble Arboriculture	06/12/2017
Landscape Architects Design Statement: 10 Vakentine Avenue, Parramatta	Sturt Noble Associates	26/09/2017
Noise / Vibration Impact Statement, Ref. 256013 (Rev. 04)	Aurecon	18/09/2017
10 Valentine Avenue – Modelled Performance Summary, Ref. 256013	Aurecon – Zofia Kuypers	02/02/2018
External Shading Impact, Ref. 256013	Aurecon – Meg Szczerbik	20/12/2017
High Performance Buildings – Dual Plumbing, Ref. 256013	Aurecon – Charbel Aoun	13/12/2017
WELL Building Standard Q2 2017 Credit Summary	Aurecon	03/08/2017
Building Services Report, Ref. 256013 (Rev. 2)	Aurecon	07/09/2017
Section J Report, Ref. 256013	Aurecon - Zofia Kuypers & Luke Mckenzie	13/09/2017
Design Intent Statement – Lift Services	Norman Disney & Young	03/08/2017
Access Review Scheme 1.1 (Rev. A)	Morris Goding Accessibility Consulting	26/10/2017
Additional Information Response – Wayfinding Addendum Letter	Morris Goding Accessibility Consulting	22/12/2017
Draft Waste Management Plan – Demolition, Construction and Use of Premises	Willowtree Planning – Chris Wilson	Undated

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

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

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

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

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

Reason: To ensure compliance with legislative requirements.

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

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

5. Approval is granted for demolition of the multi-storey car parking structure currently on the property, subject to compliance with the following:-

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

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

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

- (c) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to

commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.

- (d) On the first day of demolition, work is not to commence until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (e) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 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 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.
- (j) 1.8m high protective fencing is to be installed to prevent public access to the site.
- (k) Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.
- (l) 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.
- (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) All electric cables or apparatus which are liable to be a source of danger, other than a cable or apparatus used for the demolition works shall be disconnected i.e. the existing customer service lines will need to be isolated and/or removed during demolition. Appropriate care must be taken to not otherwise interfere with any electrical infrastructure on or in the vicinity of the site e.g. street light columns, power poles, overhead and underground cables etc.
 - (p) After completion, the applicant must notify City of Parramatta within 7 days to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.
 - (q) Within 14 days of completion of demolition, the applicant must submit to Council:
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
 - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

Design Excellence

- 6. In order to ensure the design excellence quality of the development is retained:
 - (a) The architectural design team, *fitzpatrick + partners*, is to have direct involvement in the design documentation, contract documentation and construction stages of the project (including signing off any required certifications at DA, Modification Applications, Construction Certificate and Occupation Certificate stages).
 - (b) The design architect's team is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of any design issues throughout the life of the project.
 - (c) Evidence of the design architect's team commission is to be provided

- to the Council prior to release of the Construction Certificate.
- (d) Council's Design Competition Panel (The Jury) is to review and provide comment on the architectural drawings, landscape drawings and samples of all external materials, in particular the external glazing and façade detailing, prior to the issue of any Construction Certificate and any Occupation Certificate.
 - (e) The design architect's team of the project is not to be changed without prior notice and approval of the Design Excellence Jury.

The Principal Certifying Authority must be satisfied that the above requirements have been complied with, in accordance with written confirmation from City of Parramatta Council.

Reason: To ensure the design quality excellence of the development is retained.

Endeavor Energy

7. Endeavour Energy's G/Net master facility model indicates that the site is in a location identified or suspected of having asbestos or asbestos containing materials (ACM) present in the electricity network.

When undertaking works on, or in the vicinity of, Endeavour Energy's electricity network, asbestos or ACM must be identified by a competent person employed by or contracted to the applicant and an asbestos management plan, including its proper disposal, is required whenever construction works has the potential to impact asbestos or ACM.

The company's potential locations of asbestos to which construction or electrical workers could be exposed include:

- Customer meter boards;
- Conduits in ground;
- Padmount substation culvert end panels; and
- Joint connection boxes and connection pits.

Further details are available by contacting Endeavour Energy's Health, Safety & Environment via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm.

Reason: To protect the amenity of the area and ensure construction safety.

8. The decommissioning of the existing substation and its replacement or augmentation, will be dealt with as part of Endeavour Energy's application for connection of load. The certification of the design does not constitute an agreement for the release or variation of the easement and no works should be undertaken to decommission the existing infrastructure within the easement until the release or variation of the easement has been

resolved and approved by Endeavour Energy.
Reason: To comply with the requirements of Endeavour Energy and maintain electrical supply to surrounding properties.

9. Workers involved in work near electricity infrastructure are at risk of receiving an electric shock and causing substantial damage to plant and equipment. All physical works must to comply with Endeavour Energy's public safety policies, that assist the general public and construction workers in understanding associated risks and safe work procedures. The public safety training resources are also available via Endeavour Energy's website via the following link:

<http://www.endeavourenergy.com.au/wps/wcm/connect/ee/nsw/nsw+homepage/communitynav/safety/safety+brochures>

In case of an emergency relating to Endeavour Energy's electrical network, the applicant should report this immediately via telephone to the 24-hour emergency service centre on 131 003.

Reason: To ensure construction safety procedures are appropriately implemented.

RMS

10. All buildings and structures (other than pedestrian footpath awnings), together with any improvements integral to the future use of the site are to be wholly within the freehold property (unlimited in height or depth), along the Parkes Street boundary.

Reason: To protect RMS property and maintain safe vehicular sight lines.

Sydney Trains

11. Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

Waste

12. 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.

Reason: To maintain the amenity of the area.

Prior to the issue of a Construction Certificate

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

Standard Conditions

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

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

14. Access and services for people with disabilities shall be provided to the 'affected part' of the building in accordance with the requirements of the Access to Premises Standard 2010, the National Construction Code 2013 and the recommendations contained within the *Access Review Scheme 1.1 (Rev. A)* by Morris Goding Accessibility Consulting dated 26/10/2017. Detailed plans, documentation and specification must accompany the application for a Construction Certification to the satisfaction of the Certifying Authority.

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

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

The provision of retaining walls along common boundary lines shall not impact on neighbouring properties. If impact upon neighbouring properties (including fences) is anticipated, then written approval from the affected neighbour shall be obtained and submitted to the certifying authority prior commencement of the works.

Structural details, certified by a practicing structural engineer, shall accompany the application for a Construction Certificate for assessment and approval by the certifying authority.

Reason: To minimise impact on adjoining properties.

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

consent are required to forward the written confirmation from NDBYD to their Principal Certifying Authority (PCA) prior to any excavation occurring.

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

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

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

18. External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details demonstrating compliance must be submitted to, and approved by, Council's City Architect prior to issue of any Construction Certificate.

Reason: To have a minimal impact on neighbouring properties and the public domain.

Design Excellence

19. Prior to the issue of any Construction Certificate, the following detail must be submitted to, and approved by, Council's City Architect and the Design Excellence Jury:

- (a) Photorealistic renders of proposed podium screening (based on podium elevation details), communicating the materiality and finish of the proposed blades;
- (b) A 1:1 manufactured working prototype of key junctions of the podium screening (minimum 3m x 3m dimensions); and
- (c) A design statement regarding the structural necessity and materiality of the proposed external columns (between ground level and level 7). These columns were required during the competition scheme due to the retention of the existing carpark, and the Jury questions the requirement for these columns now that a new carpark is being constructed. These columns may be removed or modified with the agreement of the Design Excellence Jury.

Reason: To fulfil the Design Excellence criteria of the Parramatta LEP 2011.

20. Prior to the issue of any Construction Certificate, the following detail must be submitted to, and approved by, Council's City Architect: key cross sections, partial plans and partial elevations through external walls, balconies, pergolas and other key external details. Drawings are to be

fully annotated at a scale of 1:50 (or if necessary 1:20) showing details, materials, finishes and colours, so that the details and materiality of the external facades are clearly documented. Revised 3D photomontages should also be submitted. The development shall be completed in accordance with the plans approved to satisfy this condition.

Reason: To ensure the design quality excellence of the development is retained.

Fees & Charges

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

Reason: To ensure that the levy is paid.

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

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

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

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

The fee will be in accordance with Council's adopted 'Fees and Charges' at the time of payment.

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

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

24. A monetary contribution comprising \$2,106,585.85 is payable to City of Parramatta in accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 and the *Parramatta City Centre S94A Development Contribution Plan (Amendment No. 4)*. 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.

The contribution levy is subject to indexation on a quarterly basis in accordance with movements in the Consumer Price Index (All Groups

Index) for Sydney issued by the Australian Statistician. At the time of payment, the contribution levy may have been the subject of indexation.

Parramatta City Centre S94A Development Contribution Plan (Amendment No. 4) can be viewed on Council's website at: <https://www.cityofparramatta.nsw.gov.au/business-development/planning/development-contributions>

Reason: To comply with legislative requirements and to provide for the increased demand for public amenities and services resulting from the development.

25. In accordance with Section 4.17(6)(a) of the Environmental Planning and Assessment Act 1979, security bonds payable to Council for the protection of the adjacent road pavement and public assets during construction works. The bond(s) are to be lodged with Council prior to the issue of any application/approval associated with the allotment, (being a Hoarding application, Construction Certificate) and prior to any demolition works being carried out where a Construction Certificate is not required.

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/841/2017;
- (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:

Hoarding - \$5,000 - \$10,000 per street frontage in current financial year
Street Trees/Furniture - \$2,000 per item in current financial year
Development Site Bond - \$25,000 per item in current financial year

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

The dilapidation report is required to document/record any existing damage to kerbs, footpaths, roads, nature strips, street trees and furniture

within street frontage/s bounding the site up to and including the centre of the road.

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

Public Domain

26. Prior to the issue of the Construction Certificate for any construction work relating to the ground floor, including slab pour, public domain works or any other above ground structure, a set of detailed **Public Domain Construction Drawings** must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The drawings shall address, but not limited to, the following areas:

- All the frontages of the development site between the gutter and building line, including footpath, drainage, forecourt, front setback;
- Any publicly accessible areas;
- Any works in carriageway, and
- Onsite landscape work

Grading of the pedestrian footway:

- Detailed design spot levels and designed contour levels are required.
- Localised flattening of public footpath levels at building doorways is not permitted. Any change of level required to provide compliant access to the building must be achieved behind the property boundary line.
- Localised ramps are not permitted in the footway. Longitudinal grading must follow the gradient of the top of kerb line unless agreed otherwise with Council. Ramping of the footway to suit adjacent building requirements will not be accepted.

The Public Domain Construction Drawings and specifications shall be prepared in accordance with:

- The latest City of Parramatta Public Domain Guidelines (PDG);
- The approved Public Domain Alignment Drawings, and
- The approved Public Domain Drawings, and
- All the conditions listed in this consent.

Council reserves the right to reconsider the revised alignment of Valentine Avenue at the time of submission of the **Public Domain Construction Drawings** in light of any Council plans or policies which may have come in to force in the interim.

Reason: To ensure the public domain is constructed in accordance with Council standards.

27. Notwithstanding the approved Public Domain Drawings and Public Domain Alignment Drawings, the following requirements shall be included in the Public Domain Construction Drawings:

Footpath

The standard 'City Centre Paving', as per the PDG, uses concrete paver, **Pebblecrete, product PPX:544:35D, 300x300x60mm, honed finish** shall be applied to the entire public domain areas in Valentine Avenue and Parkes Street to the full length of the development site. This includes the public footway and any setback between the building/podium line and property boundary.

The footpath paving set out and details should comply with Council's design standard (DS40, sheet 1-3). The Public Domain Plans must be amended to reflect the following changes:

- Drawing No. C21 - Pavement Legend - P2 to be modified to match Standard Drawing DS40 sheet 1-3.
- Drawing No. C21 - Pavement Legend - P3 to be modified to match Standard Drawing DS40 sheet 1-3. Pebblecrete, product PPX:544:35D, 300x300x60mm, honed finish on 100mm fibrecrete (25MPa) blinding layer equivalent to SL82 – no steel mesh.
- Reduce grade of footpath at chainage 40m from 3.5% to 2.5%.

A copy of the Standard Detail Drawings (DS40 sheet 1-3) referenced above can be obtained from Council's Customer Service department on 9806 5050, Mon – Fri (8:30am-4:30pm).

Kerb Ramps

Kerb ramps must be designed and located in accordance with Council's design standards (DS40 sheet 1-3), using **Pebblecrete, product PPX:544:35D, 300x300x60mm, shot blast finish**. Ramps are to be aimed to the ramp on the opposite side of the road.

Vehicle Crossing

Council's standard vehicle crossing is to be provided. Refer Council's design standard (DS40 sheet 1-3), using **Pebblecrete, product PPX:544:35D, 150x150x60mm, honed finish for vehicle crossing**.

Tactile Indicators (TGSIs)

TGSIs must be used on the public footpath and comply with the requirements in the Public Domain Guidelines. The TGSIs must be installed in the locations as shown on the public domain drawings.

TGSI's must comply as follows.

- TGSI's are required at the top and base of each flight/ramp, to comply with AS1428.4.1 (2009)
- TGSI's are not required on a landing where handrails continue through the landing.

Clear Path of Travel (Shore-Lining)

Council continues to develop uniform design approach(s) to delineating a clear path of travel past complex built forms at the footway level; options could include but not be limited to change in pavement colour, textures and or other visual aids etc that meet DDA requirements. Final design approaches will be provided to the applicant for consideration and inclusion in the public domain drawings prior to issuing of CC approval.

Sealant

Sealant is to be applied to all paved surfaces in the public domain in accordance with Council requirements.

Non-slip surface

The applicant shall provide test results (after applying paving sealant) to prove all pavement material and finishes used in the public domain and any plaza areas are **non-slip surface** in compliance with V5 in both wet and dry conditions.

Street Furniture

Street furniture selection and detail shall be to Council's requirements where the furniture is located in publicly owned land. Street furniture in the public domain must comply with Council's Public Domain Guidelines.

Cycle racks

The public bike racks shall be relocated and equally distributed (cluster of max 4-off racks) to the furniture zone of Valentine Avenue as per the PDG. Location outside of this zone to be agreed by Council's DTSU Manager prior to issue of Construction Certificate.

Cycle racks are to be located so that bicycles do not encroach onto the public footway.

Lighting

Pedestrian and street lighting shall be to Council's requirements and Australian Standards. All the lighting features in the public domain shall be detailed in the Public Domain Construction Documentation. All new LED luminaires shall include 7pin NEMA socket.

Steps

Steps in public open space must comply with the following requirements:

- Equal height risers of 150-165mm, and equal width treads of 275-300mm.

- Level landing areas shall be provided at the top and base of steps.
- The first riser to be at least 900mm from the property boundary
- Opaque risers
- Compliant contrast nosings for full stair width
- Non-slip surfaces in wet and dry conditions

Handrails

Handrails must comply as follows:

- Handrails are to be installed on each side of the stair (or centrally).
- The landing area shall be designed to sufficiently accommodate the required TGS and handrail projection, which must be outside pedestrian path of travel and circulation spaces.
- The design of handrail shall comply with AS1428.1:2009.
- Diameter to be 30-50mm.
- Clearance behind the handrail to be at least 50mm.

Ramps

Ramps must comply as follows:

- Level landings at top and base
- Non-slip surfaces in wet and dry conditions
- Compliant handrails on each side with at least 1000mm between handrails
- A lower rail with maximum clearance of 65mm below.

Preference is for proposed 1:20 ramps to not require handrails (ie make them flatter than 1:20).

Stormwater

The design must satisfy Council's general specifications and standards and the following specific requirements.

- a) The public domain stormwater drainage system must be constructed under the proposed kerb alignment as shown on Drawing No.C22, Revision P2, dated 21st December 2017.
- b) The internal site drainage system for the development must be kept within private land and shall not be constructed along the footpath area as shown on Drawing No. C03, Revision P3. This drawing will need to be appropriately corrected. Drawing C22 at Pit 4 and downstream of Pit 4 will also need to be corrected.
- c) The public domain pit and pipe stormwater drainage system must be designed to achieve a 5% AEP storm capacity.
- d) A detailed DRAINS model analysis together with detailed design drawings for construction of the proposed stormwater system must be provided to Council's Catchment Management Section for approval prior to construction.
- e) The Design Drawings must include the following details:

- i. A Longitudinal Drainage Section showing the Pipe Chainage, Pit and Pipe invert levels, Existing Ground Surface, Design Ground Surface and Hydraulic Grade Line Results for the 5% AEP design flows.
 - ii. The longitudinal Drainage Section shall also include all Pipe Sizes, Pipe Grades, Pipe Type and Class and shall include all service utility details, sizes and depths.
 - iii. All stormwater drainage pipes shall be reinforced concrete spigot and socket rubber ring jointed pipe to the appropriate Class required taking consideration of pipe cover and heavy vehicular loading requirements.
 - iv. An additional grated inlet pit with extended kerb inlet must be provided at the downstream end of the parking bay to drain this low point, which would result assuming a one-way road cross fall. This pit must be connected by a minimum 375mm stormwater pipe to proposed Pit 3C.
- f) The existing superseded Council pit and pipe crossing Valentine Ave near Parkes Street must be removed and the road pavement area reinstated to council requirements. A note with this requirement will need to be included in the design drawings for construction.
 - g) The Applicant must confirm the existence, level and details of the existing stormwater drainage pit and pipe system crossing Parkes Street connecting to the Sydney Water underground channel. These details must be shown on the longitudinal drainage section.

Documentary evidence of compliance with these requirements is to be confirmed in the **Public Domain Construction Drawings** to be submitted to and approved by Council's DTSU Manager prior to the issue of the relevant Construction Certificate.

Reason: To comply with the Public Domain Guidelines.

- 28. A conduit for Council's multi-media facilities shall be installed to the full length of the street frontages on Valentine Avenue and Parkes Street. The conduit must be positioned and installed in accordance with Council's standards drawing and specifications.

Details demonstrating compliance are to be submitted to the PCA prior to the issuing of a Construction Certificate and again prior to the issuing of an Occupation Certificate.

Reason: To facilitate Council's CCTV network.

- 29. Consistent tree pit size and construction is to be used throughout the public domain areas around the site for the street tree planting. The street tree must be planted in accordance with Council's design standard (CoP_Street tree planting in StrataVault with 1500x1500mm Grate) with

adequate clearances to other street elements in accordance with the Public Domain Guidelines.

A structural pavement system is required around proposed street trees *in paved areas* in the footway and publicly accessible pedestrian areas to mitigate against soil compaction, maximising aeration and porosity in the tree root zone. Suitable systems include suspended concrete slabs or structural cells such as strata cells. Tree grates may be required depending on the detailed design of the selected pavement structure system.

The base of all tree pits shall incorporate a drainage layer and pipe that connects to nearest stormwater pit and must be shown on the Public Domain Construction Drawings. The invert level of the storm water pit receiving the drainage water from the tree pits is also to be shown on the Public Domain Construction Drawings.

The 2 trees at the “meeting place”, as described on the approved plans, shall be set at ground level and not in the raised planter as outlined on the approved drawings.

Documentary evidence of compliance with these requirements is to be confirmed in the **Public Domain Construction Drawings** and submitted to and approved by Council’s DTSU Manager prior to the issue of the relevant Construction Certificate.

Reason: To ensure street trees being planted in appropriate locations and to Council’s details.

30. The required street tree species, quantities and supply stocks are:

Street Name	Botanical Name	Common name	Pot Size	Qty	Average Spacing
Valentine Avenue	<i>Fraxinus pennsylvanica</i> ‘Urbanite’	Uranite Ash	400L	4-off	As shown on the approved drawings or as agreed by Council’s DTSU Manager
Parkes Street	<i>Flindersia australis</i>	Australian teak	400L	3-off	
Meeting Place trees	<i>To be approved by Council’s DTSU Manager</i>				

Note: *Large trees are currently in short supply and pre-ordering of stock at a very early stage of the project to secure the specified size is required. Size and species adjustments based on lack of project co-ordination will not be permissible.*

The tree supply stock shall comply with the guidance given in publication *Specifying Trees: a guide to assessment of tree quality* by Ross Clark

(NATSPEC, 2003). The requirements for height, calliper and branch clearance for street trees are as below table:

Container Size	Height (above container)	Calliper 300mm (at)	Clear Trunk Height
45 litre	1.9 – 2.3 metres	30 – 35mm	1.2 metres
75 litre	2.2 – 2.4 metres	40 – 45mm	1.4 metres
100 litre	2.4 metres	50mm	1.4 metres
200 litre	2.8 metres	60mm	1.5 metres
400 litre	3.5 metres	80mm	1.7 metres

Details demonstrating compliance are to be submitted to the PCA prior to the issuing of a Construction Certificate and again prior to the issuing of an Occupation Certificate.

Reason: To ensure high quality of trees stocks.

31. Where tree and understorey planting is proposed on slab, under building, green wall or any other overhang or otherwise noted elsewhere an automatic irrigation system is to be provided. Irrigation design information is to be provided in the Public Domain Construction Drawings.

Reason: To provide best conditions to achieve healthy, thriving, long-lived trees in the CBD and town centres.

32. Landscape details for the treatment to the green walls fronting the public domain that ensure easy replacement of individual plants are to be provided. Details of growing medium to ensure the establishment and long-term success of the landscaped wall are to be provided. Irrigation of the landscape planters is to be provided. An automatic irrigation system shall be set up for the green wall that does not impact negatively on the public domain; excess water will not travel over the footway causing a slippery surface. The public domain construction documentation must include the full performance specifications for the installation and operation of the green walls.

Reason: To provide best conditions to achieve healthy, thriving, long-lived trees, landscape and green walls in the public and private domain.

33. All the common areas proposed within the site, including rooftop terraces, shall be fully accessible.

Drainage grates on an accessible path of travel and within common areas, are to have slots or circular openings with a maximum width of 13mm. Slots are to be laid with the long dimension at right angles to the paths of travel.

Details demonstrating compliance are to be submitted to the PCA prior to the issuing of a Construction Certificate and again prior to the issuing of an Occupation Certificate.

Reason: To improve accessibility.

Stormwater & Engineering

34. All roof water and surface water is to be connected to an operable drainage system. Details are to be shown on the plans and documentation accompanying the application for a Construction Certificate.

Reason: To ensure satisfactory stormwater disposal.

35. The building must be designed and certified by a registered structural engineer to ensure the building does not fail due to floodwater forces, debris and buoyancy effects from flooding in events up to the 1 in 100 year level plus 500mm freeboard.

Reason: To ensure the structure can withstand flooding impacts.

36. Full engineering construction details of the stormwater system, including OSD structures, pipe networks and calculations as per following points, shall be submitted for the approval of the PCA prior to release of the Construction Certificate for any work on the site. The following requirements shall be met:

- (a) The stormwater drainage detail design shall be prepared by a Registered Stormwater Design Engineer and shall be generally in accordance with the following Stormwater Plans approved by this consent and with Council's Stormwater Disposal Policy, Council's Design and Development Guidelines, The Upper Parramatta River Catchment Trust On Site Detention Hand book (Third or Fourth Edition), the relevant Australian Standards and the National Construction Code:

- I. Amended Stormwater and Civil Drawings by TTW including Appendix 9 DWGs C21, C22, C23, C24 rec'd 22 12 2017
- II. Civil DA Report by TTW Sep 2017

- (b) Adequate grate(s) to be provided so the OSD tank storage area can be inspected from outside for silt and debris, and to ensure adequate cross ventilation within the tank.

- (c) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

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

37. A primary filtration device "SPELstormsack" and a tertiary filtration device "SPELfilter" must be installed in accordance with the DA submitted

documentation by TTW and maintained in perpetuity to manage surface runoff water to Valentine Avenue and Parkes Street to satisfy section 3.3.6.1 of Parramatta Development Control Plan 2011. Details of the proposed devices and their location and maintenance plans must accompany the application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

38. Where shoring will be located on or will support Council property, engineering details of the shoring are to be prepared by an appropriately qualified and practising structural engineer. These details are to include the proposed shoring devices, the extent of encroachment and the method of removal and de-stressing of the shoring elements. These details shall accompany the application for a Construction Certificate. A copy of this documentation must be provided to Council for record purposes. All recommendations made by the qualified practising structural engineer must be complied with.

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

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

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

Reason: To protect Council's infrastructure.

40. Foundations adjacent to a drainage easement are to be constructed in accordance with Council's Code "*Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements – Parramatta City Council Code E-3*". The engineering details are to form part of the Construction Certificate documentation.

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

41. The proposed kerb inlet pit must be constructed in accordance with Council Standard Plan No. DS21. Details are to form part of the Construction Certificate documentation.

Reason: To ensure appropriate drainage.

Sustainability

42. External shading is to be provided to the northeast and northwest façades of the approved tower (i.e. above podium level).

The shading to the northwest façade is to be provided as outlined on the architectural drawings hereby approved.

External shading is to be incorporated into the northeast façade to provide shading to at least 30% of all glazing, and any glass faced spandrel, as measured in peak summer (i.e. 10:00am on 21 December).

Architectural drawings, shadow diagrams and calculations demonstrating compliance are to be submitted to and approved by Council's Development & Traffic Services Unit (DTSU) Manager prior to the issue of a Construction Certificate.

Reason: To secure the environmental and energy efficient performance of the development project.

43. Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Principal Certifying Authority:
- (a) The building must achieve a 5-star Green Star Design as-built rating. Evidence is to be provided in accordance with the Design Review certified rating of the Green Building Council of Australia.
 - (b) A dual reticulation (dual pipe) system is to be installed of sufficient size and capacity to supply all potable and non-potable water uses for the building including single connection point at the boundary of the site for connection to a future recycled water scheme.
 - (c) The building will be designed to achieve a 4 star NABERS water rating.
 - (d) LED lighting must be provided throughout the building.
 - (e) Outdoor air ventilation rates must exceed the minimum requirements of AS1668.2 2012 by 50%.
 - (f) All lifts must be gearless with regenerative drives. Passenger lifts to have destination control.
 - (g) Solar photovoltaic generation must be installed to the extent indicated for the roof and lift motor room roof as outlined on approved drawing ref: DA 1.1-22.
 - (h) The carpark levels are to be naturally ventilated to the fullest extent possible under the NCC BCA.
 - (i) The building will be designed and constructed to operate at a minimum NABERS Energy rating of 5 stars without accounting for any Green Power used in the building and a corresponding Commitment

Agreement be entered into with NSW Office of Environment and Heritage.

Reason: To ensure sustainable development outcomes are achieved.

Sydney Trains

44. Unless amendments are required in order to obtain approval/certification/ compliance from Sydney Trains in relation to any of the Sydney Trains related conditions of consent, all excavation and construction works are to be undertaken in accordance with the details, methodology, advice, undertakings and recommendations as detailed in the following documents:

- Geotechnical Investigation Report, Ref: 85784.00.R.001 Rev 1 prepared by Douglas Partners dated 24 January 2017.
- Proposed Development Excavation Methodology in Proximity to Sydney Trains Rail Corridors, Ref 161403SAA B prepared by TTW dated 23 October 2017.
- Structural Drawings prepared by TTW, Version P1 dated 23/10/2017 as follows:
 - SK0001 – Notes Cover Sheet
 - SK0002 – Shoring and Footings Plan
 - SK0003 – Shoring Elevations
 - SK0004 – Rail Corridor Section

The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming which of the documentation listed in this condition are to now apply or are superseded as a result of the compliance with the Sydney Trains related conditions of consent. The measures detailed in the documents approved/certified by Sydney Trains under this Condition are to be incorporated into the construction drawings and specifications prior to the issuing of the Construction Certificate. Prior to the commencement of works the Principal Certifying Authority is to provide verification to Sydney Trains that this condition has been complied with.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

45. Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains for endorsement the following items:

- i. Further Geotechnical Analysis is to be undertaken assessing the proposed development's impact on the existing rail corridor and PERL corridor. The report is to address potential movement as a result of the construction of the PERL. An analysis should be undertaken to determine the magnitude of possible movement

- including an estimate of the potential effects of this movement.
- ii. Revised Structural Report and Drawings addressing the following, but no limited to:
 - a. In relation to drawing SK0002 – clarification as to how the reserves relate to the Exclusion Zone illustrated in the Aurecon drawing FRC-AUR-CV-28001. Pile depths are to be included particularly those on grid line A.
 - b. In relation to drawing SK0004 – Inclusion of additional sections along grid lines 2 and 4 and through the OSD foundations on the northwest extremity of the sit. Sections should include the Exclusion Zone illustrated on Aurecon drawing FRC-AUR-CV-0280001.
 - c. Report shall address the effects of ground movement from construction of the PERL on the development.
 - iii. Derailment Risk Assessment as required by AS 5100.
 - iv. Confirmation that the 2 piles located within the 2nd Reserve that have tension uplifts are designed so that these uplift forces do not impact on the rail corridor.
 - v. Final Pile Design and corridor impact assessment, including but not limited to, pile diameter, toe level and sleeve.
 - vi. Construction management plan demonstrating with Asset Standards Authority standards and safe working distances from overhead powerlines.
 - vii. Underground rail services search and demonstration that all clearances will be adhered to.
 - viii. Final Sydney Trains sign-off of the OH Power Mains Clearance Report-Prepared by Projen.

The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied. Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

46. The following items are to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate:
 - Machinery to be used during excavation/construction.
 - If advised by Sydney Trains, track monitoring plan

The Principal Certifying Authority is not to issue the Construction Certificate until it has received written confirmation from Sydney Trains that this condition has been complied with.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

47. An acoustic assessment is to be submitted to TfNSW (and to be endorsed by TfNSW) and Council prior to the issue of a construction certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". This report needs to address the effects of vibration from the operation of the PERL on the development including any mitigation measures that may be required.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

48. Prior to the issue of a Construction Certificate the Applicant is to engage an Electrolysis Expert to prepare a report on the Electrolysis Risk to the development from stray currents. The Applicant must incorporate in the development all the measures recommended in the report to control that risk. A copy of the report is to be provided to the Principal Certifying Authority with the application for a Construction Certificate.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

49. The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of Sydney Trains. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

50. If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan and detailed Safe Work Method Statements (SWMS) for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

51. If required by Sydney Trains, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction Certificate until

written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

52. If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering Management Interfaces to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Engineering Management Interfaces to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

53. If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Engineering Management Interfaces to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

54. Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

55. Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

Sydney Water

56. A building plan approval must be obtained from Sydney Water Tap in™ to ensure that the approved development will not impact Sydney Water infrastructure.

A copy of the building plan approval receipt from Sydney Water Tap in™ must be submitted to the Principal Certifying Authority upon request prior to works commencing.

Please refer to the website <http://www.sydneywater.com.au/tapin/index.htm>, Sydney Water Tap in™, or telephone 13 20 92.

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

Traffic & Transport

57. The PCA shall ascertain that any new element in the carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) 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 application.

Reason: To ensure appropriate vehicular manoeuvring is provided.

58. A minimum of 158 bicycle parking spaces, including 18 visitor bicycle parking spaces, shall be provided with the subject development. The bicycle storage/racks are to comply with AS 2890.3-1993. End-of-trip facilities shall also be provided within the development. Details are to be illustrated on plans submitted with the Construction Certificate and be to the satisfaction of the PCA.

Reason: To comply with Council's parking requirements.

59. Prior to issue of a Construction Certificate the PCA is to confirm that there are no more than 135 car parking spaces shown on the construction drawings.

Reason: To comply with Council's parking requirements.

60. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application.

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

61. Sight distances from the proposed vehicular crossings to vehicles on Valentine Avenue are to be in accordance with Austroads Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890. Vegetation and proposed landscaping must not hinder sight lines to and from the vehicular crossings to pedestrians, cyclists, and general traffic.

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

62. The design of driveway access and vehicular entranceways are to comply with the following provisions:

- All vehicles are to enter and exit the site in a forward direction.
- All vehicles are to be wholly contained on site before being required to stop.

Reason: To ensure compliance with RMS requirements and maintain vehicular safety.

63. A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site. This shall be illustrated on plans submitted with the Construction Certificate and not be compromised by the landscaping, signage fences, walls or display materials.

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

64. The driveway to the loading dock is to be widened to a minimum of 6.0m to provide for two-way traffic.

Reason: To provide simultaneous access and egress

65. A total of 3 accessible car-parking spaces must be provided as part of the total car-parking requirements. These spaces and access to these spaces must comply with AS2890.6 - 'Parking facilities' - 'Off-street parking for people with disabilities and AS1428.1 - 'Design for access and mobility' - General requirements for access - New building work' 2001 and 2009 and AS1428.4 - 'Design for access and mobility' - 'Tactile ground surface indicators for orientation of people with vision impairment' - 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009.

Details are to accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

66. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 to prevent the underside of the vehicles scraping. Where the geometric change in grade exceeds 18%, the gradients of the driveway and ramps shall be checked using the method at Appendix C in AS2890.1:2004 and adjustments will be made to accommodate suitable transition lengths. Details are to be provided with the application for a Construction Certificate.

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

67. A heavy duty vehicular crossing shall be constructed in accordance with Council's Standard Drawing numbers DS9 and DS10. Details must accompany an application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

Reason: To ensure appropriate vehicular access is provided.

68. Prior to the issue of a construction certificate the applicant must submit a Loading Dock Management Plan to the satisfaction of Council's Traffic Services Manager and the Transport for NSW: Sydney Coordination Office. The Plan must achieve the following requirements:

- All loading and servicing is to be conducted on-site.
- Adequate, provision of loading bays to be provided within the site, consistent with the RMS Guide to Traffic Generating Developments (2002).
- All vehicles are to enter and exit the site in a forward direction.
- The applicant should not rely on the kerbside restrictions to conduct their business.

Reason: To ensure compliance with the Parramatta DCP 2011 and reduce kerbside stopping reliance.

Trees & Landscaping

69. Prior to the issue of the Construction Certificate, the Certifying Authority must be satisfied of the following:

- a) That the percentage of impact incursion into the following Tree Protection Zones (TPZ) must not exceed that as prescribed in

Attachment 2 of the Arborist Letter prepared by Sturt Noble Arboriculture dated 15 January 2018, titled 'TPZ Encroachment Calculation'.

- b) Revised Plans are required to show all work outside the nominated incursion percentage, including all construction works for landscaping and installation of services to be either relocated outside the following Tree Protection Zones or demonstrated on plans that no excavation is required to complete the proposed works.

Tree No.	Name	Common Name	Radius from the trunk
24	<i>Grevillea robusta</i>	Silky Oak	10.2 m
25	<i>Schinus molle var. areira</i>	Peppercorn Tree	13.2 m

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

Reason: To ensure existing trees are not destabilised.

Waste

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

Reason: To provide for the appropriate collection/ recycling of waste from the proposal whilst minimising the impact of the development upon adjoining residents.

Prior to Work Commencing

Standard Conditions

71. Prior to commencement of work, the person having the benefit of the Development Consent and Construction Certificate approval must:

- (a) Appoint a Principal Certifying Authority (PCA) and notify Council in writing of the appointment (irrespective of whether Council or an accredited private certifier) within 7 days; and
- (b) Notify Council in writing a minimum of 48 hours prior to work commencing of the intended date of commencement.

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

Reason: To comply with legislative requirements.

72. The site must be enclosed by a 1.8m high security fence, if a hoarding is not provided, erected wholly within the confines of the site to prevent unauthorised access. The fence must be installed to the satisfaction of the Principal Certifying Authority prior to the commencement of any work on site.

Reason: To ensure public safety.

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

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

This condition does not apply where works are being carried.

Reason: Statutory requirement.

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

Reason: To ensure adequate toilet facilities are provided.

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

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

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

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

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

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

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

Stormwater & Engineering

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

The report must include a photographic survey of the adjoining properties detailing their physical condition, both internally and externally, including such items as walls, ceilings, roof, structural members and other similar items. The report must be completed by a consulting structural/geotechnical engineer in accordance with the recommendation of the geotechnical report. A copy of the dilapidation report must be submitted to Council.

In the event access to adjoining allotments for the completion of a dilapidation survey is denied, the applicant must demonstrate in writing that all reasonable steps have been taken to advise the adjoining allotment owners of the benefit of this survey and details of failure to gain consent for access to the satisfaction of the Principle Certifying Authority.

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

Reason: Management of records.

77. Prior to the commencement of any excavation works on site the applicant must submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:
- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
 - (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.
 - (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.

- (d) The impact on groundwater levels in relation to the basement structure.
- (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

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

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

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

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

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

cause an adverse impact to the surrounding property and infrastructure.

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

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

78. Details of the proposed reinforced concrete pipe-work within Valentine Avenue and Parkes Street shall be submitted for Council's City Works Unit approval prior to commencement of any work.

Reason: To ensure adequate stormwater infrastructure is provided.

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

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

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

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

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

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

- (a) Protect and support the adjoining premises from possible damage from the excavation

- (b) Where necessary, underpin the adjoining premises to prevent any such damage.

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

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

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

- (a) On-street mobile plant:
E.g. Cranes, concrete pumps, cherry-pickers, etc. - restrictions apply to the hours of operation and the area where the operation will occur, etc. Separate permits are required for each occasion and each piece of equipment. It is the applicant's, owner's and builder's responsibilities to take whatever steps are necessary to ensure the use of any equipment does not violate adjoining property owner's rights.
- (b) Storage of building materials and building waste containers (skips) on Council's property.
- (c) Permits to utilise Council property for the storage of building materials and building waste containers (skips) are required for each location they are to be stored. Failure to obtain the relevant permits will result in the building materials or building waste containers (skips) being impounded. Storage of building materials and waste containers within Council's open space areas, reserves and parks is prohibited.
- (d) Kerbside restrictions - construction zones:
The applicant's attention is drawn to the possible existing kerbside restrictions adjacent to the development. Should the applicant require alteration of existing kerbside restrictions, or the provision of a work zones, the appropriate application must be made to Council and the fee paid. Applicants should note that the alternatives of such restrictions may require referral to Council's Traffic Committee. An earlier application is suggested to avoid delays in construction programs.

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

Reason: Proper management of public land.

Sydney Trains

83. If required by Sydney Trains, prior to the commencement of works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

84. Prior to the commencement of works appropriate fencing or barrier is to be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

Any use or access of the adjoining rail corridor land during the construction stage is only to be undertaken with the consent of Sydney Trains.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

Traffic & Transport

85. Prior to the commencement of any works on site, the applicant must submit a Construction Pedestrian and Traffic Management Plan to the satisfaction of Council's Service Manager Traffic and Transport and the Transport for NSW Sydney Coordination Office. The following matters must be specifically addressed in the Plan:

Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:

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

- (v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- (vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- (vii) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
- (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
- (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site.
- (x) Proposed construction hours;
- (xi) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements;
- (xii) Construction program that references peak construction activities and proposed construction 'Staging';
- (xiii) Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works;
- (xiv) Cumulative construction impacts of projects in the Parramatta CBD. Should any impacts be identified, the duration of the impacts; and
- (xv) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified.

Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Works Zone' restriction in the egress frontage roadways of the development site.

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

Traffic Control Plan(s) for the site:

- (i) All traffic control devices installed in the road reserve shall be in accordance with the NSW Transport Roads and Maritime Services publication 'Traffic Control Worksite Manual' and be designed by a person licensed to do so (minimum RMS 'red card' qualification) The main stages of the development

requiring specific construction management measures are to be identified and specific traffic control measures identified for each,

- (ii) Approval shall be obtained from City of Parramatta Council for any temporary road closures or crane use from public property.

Where applicable, the plan must address the following:

- (i) Evidence of Roads and Maritime Services concurrence where construction access is provided directly or within 20 m of an Arterial Road,
- (ii) A schedule of site inductions shall be held on regular occasions and as determined necessary to ensure all new employees are aware of the construction management obligations.
- (iii) Minimising construction related traffic movements during school peak periods.

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

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

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

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

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

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

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

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

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

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

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

During Work

Standard Conditions

88. A copy of this development consent together with the stamped plans, referenced documents and associated specifications is to be held on-site during the course of any works to be referred to by all contractors to ensure compliance with the approval and the associated conditions of consent.

Reason: To ensure compliance with this consent.

89. Dust control measures shall be implemented during all periods of earth works, demolition, excavation and construction to minimise the dust nuisance on surrounding properties. In this regard, dust minimisation practices must be carried out in accordance with Council's Guidelines for Controlling Dust from Construction Sites and Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

90. No building materials skip bins, concrete pumps, cranes, machinery, temporary traffic control, signs or vehicles associated with the construction, excavation or demolition shall be stored or placed on/in Council's footpath, nature strip, roadway, park or reserve without the prior approval being issued by Council under section 138 of the Roads Act 1993.

Reason: To ensure pedestrian access.

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

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

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

Such circumstances where extended hours may be permitted include:

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

Reason: To protect the amenity of the area.

92. The applicant must record details of all complaints received during the construction period in an up to date complaints register. The register must 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 must be made available to Council and/or the principal certifying authority upon request.

Reason: To allow the Principal Certifying Authority/Council to respond to concerns raised by the public.

93. Noise emissions and vibration must be minimised, work is to be carried out in accordance with the NSW Department of Environment, Climate Change and Water's Interim Noise Construction Guidelines 2009 for noise emissions from demolition, excavation and construction activities.

Vibration levels resulting from demolition and excavation activities must not exceed 5mm/sec peak particle velocity (PPV) when measured at the footing of any nearby building.

Reason: To protect the amenity of the area.

94. A survey certificate is to be submitted to the Principal Certifying Authority at footing and/or formwork stage. The certificate must indicate the location of the building in relation to all boundaries, and must confirm the floor level is consistent with that approved under this consent prior to any further work proceeding on the building.

Reason: To ensure the development is being built as per the approved plans.

95. Any new information which comes to light during demolition or construction works which has the potential to alter previous conclusions about site contamination shall be notified to the Council and the principal certifying authority immediately.

Reason: To ensure that the land is suitable for its proposed use and poses no risk to the environment and human health.

Endeavour Energy

96. In order to protect Endeavour Energy's electrical easements, the adjoining land owner must:

- Not install or permit to be installed any services or structures within the easement site.
- Not alter the surface level of the easement site.
- Not do or permit to be done anything that restricts access to the easement site without the prior written permission of Endeavour Energy and in accordance with such conditions as Endeavour Energy may reasonably impose.

If the proposed works (other than those approved or certified by Endeavour Energy's Network Connections Branch as part of an enquiry or an application for load) will encroach or affect Endeavour Energy's easements or protected assets, contact must first be made with the Endeavour Energy's Easements Officer, Jeffrey Smith, on direct telephone 9853 7139 or alternately email Jeffrey.Smith@endeavourenergy.com.au.

The access to existing electrical infrastructure adjacent and on the site must be maintained at all times.

Reason: To ensure that supply electricity is available to the community in the protection of services.

Public Domain

97. All the public domain works shall be constructed by licensed contractors. All the soft landscape works shall be carried out by licensed landscape contractors.

A range of inspections will be carried out by Council staff during the construction phase. The applicant must contact **Council's Inspection Officer** for each inspection listed below. At least **48 hour** notice must be given for all inspections.

The required inspections include the followings:

- Commencement of public domain works including tree protection measures installed and set out of tree pits;
- Subgrade inspection following excavation for footings, drainage and pavements, tree pits showing root barriers, structural soil cell, sub-surface drainage and irrigation system as required;
- Installation of required underground conduits;
- Blinding layer/concrete slab based completion and initial (indicative) set out of pavers street fixtures and fittings as applicable to ensure compliance with the requirements in the Public Domain Guidelines;
- Commencement of the works including survey marks, sub-grade preparation and set out of kerb alignments;
- Completion of concrete blinding layer before any paver to be laid; and set out/location of furniture installation;
- Completion of (raised) planting beds with required sub-drainage layer installed as specified. Procured soil media specifications and docket receipts to be signed at this inspection;
- Completion of unit (granite) paving and furniture (seatings) installation. Manufacturer's warranty and maintenance information for all proprietary products shall be provided to Council's Inspection Officer; and
- Completion of paving sealant application and tactile indicator installation as per Council's specification.
- Delivery of street trees to site. Trees shall be installed within 24hrs of delivery; The contractor shall provide Council Officer the NATSPEC document to prove the quality of the tree stock.
- Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation and location of fixtures and fittings.

Note: Additional daily inspections by Council Officers may occur to view progressive paving set out and construction depending on the project size and type.

Reason: To ensure the quality of public domain works complies with Council standards and requirements.

Stormwater & Engineering

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

Reason: To ensure no adverse impacts on neighbouring properties.

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

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

Sydney Trains

100. Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

101. No rock anchors/bolts are to be installed into Sydney Trains property or easements.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

102. Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

103. The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing or barrier along the rail corridor boundary with the development site. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

Traffic & Transport

104. Occupation of any part of the footpath or road at or above (carrying out work, storage of building materials and the like) during construction of the development shall require a Road Occupancy Permit from Council. The applicant is to be required to submit an application for a Road Occupancy

Permit through Council's Traffic and Transport Services, prior to carrying out the construction/restoration works.

Reason: To ensure proper management of Council assets.

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

Reason: To ensure maintenance of Council's assets.

Trees & Landscaping

106. Approval is provided to prune two (2) trees numbered 24 and 25 located on the adjoining property, to provide clearances for development construction works, to a maximum of 10% live canopy foliage within the development property boundaries only. Pruning must be undertaken in accordance with the following:

(a) No pruning of roots greater than 30mm in diameter.

(b) All branches, leaves, timber, stumps, wood chips and the like shall be disposed of in an approved manner.

Note: Incineration and/or the disposal of green waste on any Council land or unauthorised dumping on private property is strictly prohibited.

(c) Chainsaws, circular saws or other mechanical equipment shall not be operated within the following periods:

- 8.00pm to 7.00am, weekdays

- 8.00pm to 8.00am, weekends and public holidays

(d) All Tree pruning shall be supervised by an AQF Level 3 qualified Arborist and conform to the provisions of AS 4373 – 2007 "Pruning of amenity trees" and with the Safe Work Australia Guide to managing risks of tree trimming and removal work.

Reason: To ensure all wastes are disposed of without nuisance, to ensure works are carried out in accordance with AS 4373 – 2007 "Pruning of amenity trees" and the Safe Work Australia Guide to managing risks of tree work, and to ensure the protection of the tree(s) to be retained.

107. All excavation within the tree protection area of Trees numbered 24 and 25 located within the adjoining property is to be undertaken by hand and is to be supervised by an Australian Qualifications Framework (AQF) Level 5 arborist. If during excavation the Arborist identifies remedial work is necessary, it is to be supervised by this Arborist.

Once the work is completed a written report detailing the remedial work undertaken is to be forwarded to the Principal Certifying Authority.

Reason: To provided adequate protection of trees.

108. No excavation is to occur within the distance specified below:

Tree No.	Species	Common Name	Location	Distance from trunk
24	<i>Grevillea robusta</i>	Silky Oak	Refer to Arborist Report	3.17 metres
25	<i>Schinus molle</i> var. <i>areira</i>	Peppercorn Tree	Refer to Arborist Report	3.44 metres

Reason: To ensure the protection of tree(s).

109. Trees to be removed are:

Tree No.	Species	Common Name	Location
4, 6, 8, 10, 12, 14, 16, 18, 19,	<i>Eucalyptus microcorys</i>	Tallowood	Refer to Arborist Report
20	<i>Eucalyptus microcorys</i>	Tallowood	Refer to Arborist Report
21	<i>Syzygium australe</i>	Lilly Pilly	Refer to Arborist Report
22	<i>Eucalyptus microcorys</i>	Tallowood	Refer to Arborist Report
23	<i>Syzygium australe</i>	Lilly Pilly	Refer to Arborist Report

Reason: To facilitate development.

110. All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the Safe Work Australia Guide to managing risks of tree trimming and removal work.

Reason: To ensure works are carried out in accordance the Safe Work Australia Guide to managing risks of tree trimming and removal work.

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

Reason: To ensure restoration of environmental amenity.

Waste

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

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

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

- (a) Work Health and Safety Act 2011
- (b) NSW Protection Of the Environment Operations Act 1997 (NSW) and

- (c) NSW Department of Environment and Climate Change Environmental Guidelines; Assessment, Classification and Management of Liquid and Non Liquid Wastes (1999).

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

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

Reason: To prevent pollution of the environment.

115. Adequate ventilation to the waste storage room shall be provided in accordance with the requirements of the Building Code of Australia. Certification that the system functions in accordance with Australian Standard AS 1668 is to be provided to the certifying authority prior to occupation of the premises.

Reason: To comply with the relevant Australian Standards

Prior to the issue of an Occupation Certificate/Subdivision Certificate

Standard Conditions

116. Occupation or use of the building or part is not permitted until an Occupation Certificate has been issued in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

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

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

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

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

118. Prior to the issue of an Occupation Certificate, a final fire safety certificate must be issued as required by Clause 153 of the Environmental Planning and Assessment Regulation 2000.

Reason: Protection of life and to comply with legislative requirements.

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

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

Reason: To comply with stator requirements.

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

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

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

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

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

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

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

Reason: To ensure restoration of environmental amenity.

122. Prior to the issue of an Occupation Certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and City of Parramatta Council, stating that all works/methods/procedures/control measures in the *Acoustic Report No. 256013*, dated 18 September 2017, prepared by Bill Dawson have been implemented.

Reason: To demonstrate compliance with submitted reports.

Design Excellence

123. Council's Design Competition Panel (Design Excellence Jury) shall review and comment on the completed development prior to the issue of an Occupation Certificate to ensure design integrity. Where the Jury identifies matters which are not satisfactory, resolution shall be required prior to the issue of the Occupation Certificate.
Reason: To ensure the proposal achieves design excellence.

Public Art

124. The large digital screen artwork within the lobby must be in a working order, in accordance with the approved architectural drawings and Public Arts Plan, prior to the issue of any Occupation Certificate .

Final documentation including details of artist selection, screen fabrication and a maintenance schedule must be submitted to and approved by Council's DTSU Manager prior to the issue of any Occupation Certificate.

Reason: To comply with Development control requirements and ensure the appropriate implementation of the approved public art plan.

Public Domain

125. Prior to **any issue** of the Occupation Certificate (including a Preliminary OC), the works outlined in the approved Public Domain Construction Drawings must be completed to Council's satisfaction with a **final approval** obtained from Council's Assets & Environment Manager.

The **Work-as-Executed Plans** shall be prepared and submitted to Council showing the final-approved public domain works after the final approval, and prior to any issue of the OC.

Council will issue the **final approval** for public domain works in accordance with the approved public domain documentation and to Council's satisfaction. A **final inspection** will be conducted by Council staff after all the works are completed and the defects identified during inspections are rectified. The Certificate of Completion shall not be issued until Council's final approved is obtained.

A one year (52 week) maintenance period is required to be carried out by the applicant for all the works constructed in the public domain (including dedicated reserve/park). A landscape maintenance schedule prepared by a qualified Landscape Architect shall be submitted to Council specifying minimum 52 weeks' plant establishment to be provided by the applicant following handover of paving and furniture assets to Council. Council maintenance of plant material to commence following the above plant establishment period.

A two year (104 week) maintenance and defects period is required for any public domain works that include WSUD devices, including bio-retention tree pit, rain garden, swale etc., to be carried out by the developer following final OC approval of the public domain works by Council Officers.

Reason: To ensure the quality of public domain works is completed to Council's satisfaction.

Stormwater & Engineering

126. Works-As-Executed stormwater plans are to address the following:

- (a) The Work-As-Executed plans are prepared on the copies of the approved drainage plans issued with the Construction Certificate with the variations marked in red ink.
- (b) The Work-As-Executed plans have been prepared by a registered surveyor certifying the accuracy of dimensions, levels, storage volumes, etc.
- (c) The as built On-Site Detention (OSD) storage volumes are to be presented in a tabular form (depth verses volume table
- (d) OSD Works-As-Executed dimensions form (refer to UPRCT Handbook).
- (e) Certificate of Hydraulic Compliance from a qualified drainage / hydraulic engineer (refer to UPRCT Handbook).
- (f) Certificate of Structural compliance of the OSD tank walls and cover slab from a qualified structural engineer.

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

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

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

The terms of the 88E Instruments are to be generally in accordance with Council's "standard terms" available in Council's website, under Development Forms.

Where a Title exists, the Positive Covenant and Restriction on the Use of Land is to be created through via an application to the Land Titles Office using forms 13PC and 13RPA. Accompanying this form is the requirement

for a plan to scale showing the relative location of the On-Site Detention and Stormwater Treatment facilities, including their relationship to the building footprint.

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

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

128. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This report is to ascertain whether the construction works created any structural damage to adjoining buildings and or infrastructure.

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

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

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

Sydney Trains

129. Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied

Reason: To comply with the requirements of Sydney Trains and Division 15 'Railways' of SEPP (Infrastructure) 2007.

Sydney Water

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

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

Traffic & Transport

131. Proof of completion of Kerb and Gutter replacement and new Kerb Ramps must be submitted to the satisfaction of the Council prior to the issue of an Occupation Certificate.
Reason: To provide adequate access.
132. All redundant lay-backs and vehicular crossings must be reinstated to conventional kerb and gutter, foot-paving or grassed verge in accordance with Council's Standard Plan. The reinstatement must be completed prior to the issue of an Occupation Certificate. All costs must be borne by the applicant.
Reason: To provide satisfactory drainage.
133. Car parking area and internal accessways must be constructed, marked and signposted in accordance with AS2890.1 –2004 'Off Street Car Parking Facilities' prior to an Occupation Certificate being issued.
Reason: To ensure appropriate car parking.
134. Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way, prior to the issue of the Occupation Certificate.
Reason: To ensure pedestrian safety.
135. A Green Travel Plan to promote non-private vehicle transport for employees and visitors is to be submitted to the satisfaction of the Certifying Authority and a copy provided to Council prior to the issue of the final Occupation Certificate.
Reason: To discourage trips by private vehicle.
136. The Applicant shall provide written evidence to Council's DTSU Manager, prior to release of the final Occupation Certificate, demonstrating that at least one (1) car share space has been offered to all car share providers operating in Sydney together with the outcome of the offers or a letter of commitment to the service.
Reason: To comply with Council's parking requirements.
137. Prior to the issue of any Occupation Certificate, an application is required to be obtained from Council for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment.

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

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

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

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

Reason: Pedestrian and Vehicle safety.

Trees & Landscaping

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

Reason: To ensure restoration of environmental amenity.

Waste

139. Prior to issue of the occupation certificate, the applicant shall enter into a commercial contract for the collection of trade wastes and recyclable materials arising from business operations on site. A copy of all-waste contracts and receipts shall be kept on site and made available to Council officers on request.

Reason: To comply with the Requirements of the Protection of the Environment Operations Act 1997 and Regulations.

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

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

The Use of the Site

Standard Conditions

141. No goods are to be stored/displayed outside the walls of the building.

Reason: To ensure visual amenity.

142. The owner/manager of the site/business is responsible for the removal of all graffiti from the building/structures/signage and/or fencing within 48 hours of its application.
Reason: To ensure the removal of graffiti.
143. The days and hours of operation of the cafe component of the building hereby approved are restricted to 6:00am – 10:00pm (7 days a week).
Reason: To minimise the impact on the amenity of the area.
144. Roller shutters are not to be placed over any external door or window of the premises. Any security grill is to be located on the inside of the glass shop front and must be an open grille able to be seen through.
Reason: To provide an appropriate streetscape appearance.
145. No materials, goods or vehicles associated with the use of the premises are to be stored or displayed on or within the street reserve or other public area.
Reason: To ensure the integrity of Council's assets is protected and to ensure unobstructed pedestrian movement in the vicinity of the proposal.
146. Any use of the premises as a Place of Public Entertainment is subject to further approval of Council.
Reason: To protect the amenity of the area.
147. Separate consent shall be sought for any outdoor dining areas. Outdoor dining areas shall be designed to coordinate with the retail tenancies and details shall be provided of all strategies to mitigate environmental factors such as sun, wind and rain.
Reason: To ensure the amenity of the outdoor dining area.
148. The building identification signs approved must comply with the following requirements (or as otherwise agreed by Council's DTSU Manager):
- Illuminated signs must be fitted with an automatic timing device to turn the illumination off between the hours of 10:00pm and 7:00am Monday to Sunday.
 - The signage associated with this consent are not permitted to be animated, flashing and/or moving at any time.
 - The sign on the south-eastern facade is not to be illuminated at any time.
 - The maximum illuminance of the signs must not exceed 3 lux above existing light conditions at any time.
- Reason:** To maintain amenity for adjoining properties.

Acoustic

149. 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.

150. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

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

Reason: To minimise noise impact of mechanical equipment.

152. Servicing, deliveries and the like are not to occur between the hours of 10:00pm and 7:00am, 7 days a week.

Reason: To protect the amenity of the area.

Public Art

153. The large digital screen artwork within the lobby shall only be used for the purpose of displaying art, in keeping with the approved Public Art Plan. Advertising, promotional content, content including company names or logos, and broadcast/re-broadcast of TV shall not be displayed on the screen at any time.

The digital screen shall be switched off between the hours of 10:00pm and 7:00am daily or as otherwise agreed in writing by Council's Public Art Officer.

Reason: To ensure public art serves its purpose and does not impact on the amenity of adjoining/nearby occupants.

Sustainability

154. The applicant will undertake a formal Green Star Design and As Built rating within 18 months of practical completion and submit the results to the City of Parramatta.

Reason: To ensure sustainable development outcomes are achieved.

155. The applicant will undertake a formal NABERS Water rating within 18 months of the building achieving 75% commercial occupancy and submit the results to the City of Parramatta.

Reason: To ensure sustainable development outcomes are achieved.

156. The applicant will undertake a formal NABERS Energy Rating within 18 months of the building achieving 75% commercial occupancy, and submission of the rating result to the City of Parramatta.

Reason: To ensure sustainable development outcomes are achieved.

Traffic & Transport

157. If one or more car share provider accepts the applicant's offer of a car share space, at least one (1) car share space shall be provided to the preferred operator on the site for as long as the car share operator would like to occupy the space or as otherwise agreed by Council's DTSU Manager.

Reason: To comply with Council's parking requirements.

158. All loading and unloading must take place within the designated loading areas on the subject property.

Reason: To improve the safety of the users of the public carpark.

159. All vehicles are to enter and exit the site in a forward direction. In addition, all vehicles are to be wholly contained on site before being required to stop.

Reason: To improve the safety of the users of the public carpark.

160. The Green Travel Plan, required by these conditions, shall be displayed through the commercial areas of the site (at least one copy on each floor, including car parking levels).

Reason: To discourage trips by private vehicle.

Trees & Landscaping

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

Reason: To ensure restoration of environmental amenity.

Waste

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

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

Reason: To ensure provision of adequate waste storage arrangements

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

Reason: To ensure provision of adequate waste disposal arrangements.

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

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

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

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

ADVISORY NOTE

A. Transport for NSW

Sydney Metro is Australia's biggest public transport project. This new standalone railway will deliver 31 metro stations and more than 66 kilometres of new metro rail, revolutionising the way Australia's biggest city travels. The Sydney Metro West project is Sydney's next big railway infrastructure investment. It will deliver a direct connection between the CBDs of Parramatta and Sydney. Transport for NSW has commenced early planning work for Sydney Metro West, including the optimum location for a station at Parramatta. Opportunities for community and industry engagement will progress in the first half of 2018. This engagement will seek community input and

feedback on station locations, and industry input on how to build the project and how we can share value created around the corridor. The Sydney Metro Delivery Office is currently liaising with City of Parramatta Council and is available to discuss any potential implications associated with development proposals.
<https://www.sydneymetro.info/west/project-overview>

B. State Rail Boundary Trees

In order to minimise the disturbance of the existing tree roots on State Rail land, the existing planter bed and soil levels between the proposed built form and State Rail boundary should be retained by limiting the footway and pavement width at Parker St to align with rail overpass abutment. Access to the eastern door sub-station room, if required, must then be reconsidered.