



Report to Sydney Central City Planning Panel

SWCCP reference	2017SWC122
DA No.	828/2017
Date of receipt	26 September 2017
Proposal	Demolition of existing buildings and the construction of a 25 storey commercial office tower over 2 basement levels, with associated public domain works including the upgrade of United Lane.
Street address	220-230 Church Street and 48 Macquarie Street, Parramatta
Property description	Lot 1 DP1041242, Lot 1 DP702291 and Lot B DP394050.
Applicant	G&J Drivas Pty Ltd and Telado Pty Ltd
Owner	G&J Drivas Pty Ltd and Telado Pty Ltd and City of Parramatta Council
Submissions	One
Regional Development criteria	Capital investment value of more than \$30 million. (Schedule 4A of the Environmental Planning and Assessment Act)
List of all relevant section 4.15(1)(a) matters	<ul style="list-style-type: none">• Environmental Planning and Assessment Act and Regulations• State Environmental Planning Policy No. 55• State Environmental Planning Policy (Harbour Catchment) 2005• State Environmental Planning Policy (Infrastructure) 2007• State Environmental Planning Policy (State + Regional Development) 2011• Parramatta Local Environmental Plan 2011• Parramatta Development Control Plan 2011
Recommendation	Approval
Report by	Brad Roeleven, Executive Planner

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	
Are relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarised 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 has been received, has it been attached to the assessment report?	N/A
Special Infrastructure Contributions	
Does the DA require Special Infrastructure Contributions conditions (S94EF)?	No
Conditions	
Have draft conditions been provided to the applicant for comment ?	Yes

1. Executive summary

This report considers a proposal to construct a commercial building of 25 storeys, set over basement parking, and also incorporating public domain improvements including the upgrade of United Lane. The proposal is the outcome of a design excellence process completed to satisfy clause 7.10 of Parramatta Local Environmental Plan 2011.

Key issues identified, and resolved, during the assessment of this proposal are:

- Probable land contamination
- High probability of Aboriginal and historic archaeology
- Proximity to local and state heritage items, view corridors and relationship to Old Government House and Domain
- Flood constraints (1 in 100 year and Probable Maximum Flood)
- Maintaining Design Excellence as established via a prior design competition
- Completion of site specific Planning Proposal, and associated Voluntary Planning agreement
- Owners consent for the use of Horwood Place
- Need for concurrence from Transport for NSW as the site immediately adjoins the Parramatta Light Rail corridor
- Need for General Terms of approval from NSW Office of Water (De-watering)

Assessment against the relevant planning framework and consideration by Council's technical departments, and relevant external agencies, has not identified any fundamental issues of

concern. The application is therefore satisfactory when evaluated against section 4.15 of the Environmental Planning and Assessment Act 1979, as set out at **Attachment A**. Consequently, this report recommends that the Panel approve the application, subject to the conditions at **Attachment B**.

2. Context, description and location, existing development

2.1 Context

The site is centrally located within the Parramatta central business district (CBD). Surrounding development is predominately office and retail uses, but also includes key landmarks and public spaces such as Centenary Square, Parramatta Town Hall, and St Johns' Cathedral. Evolution of the town centre as Sydney's dual CBD is evident through the significant extent of private and government investment, and the progressive re-location of state government departments and agencies.

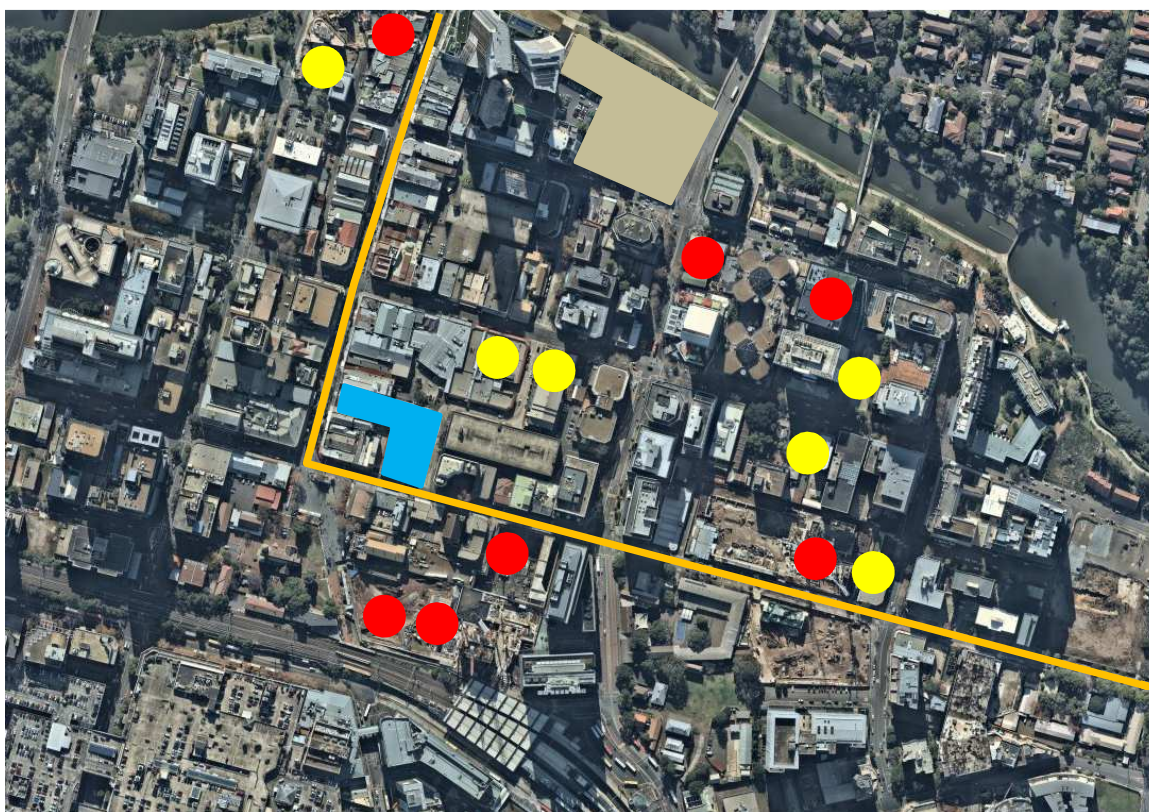


Figure 1: Site context within CBD and extent of new tower development

- Blue = Site
- Red = Tower buildings either completed or under construction
- Yellow = Tower buildings either approved or DA under assessment
- Orange = Parramatta Light Rail
- Tan = Site of Museum of Applied Arts and Science

2.2 Description, location and existing development

This “L” shaped site, with a total area of 3,684.2m², is located on the eastern side of Church Street and northern side of Macquarie Street. It has multiple street frontages as follows:

Table 1: Site frontages

West boundary	Church Street and United Lane
South boundary	Macquarie Street
East boundary	Horwood Place
North boundary	Houison Place

Existing uses on the site comprise:

- 220 Church Street: Two storey retail and commercial building
- 222-230 Church Street: Two storey retail and commercial building (Greenway Plaza)
- 48 Macquarie Street: Three storey commercial building

Existing buildings cover the whole of the site. There are no basement levels nor any on-site parking. Access for service vehicles is limited to United Lane. The site is essentially level.

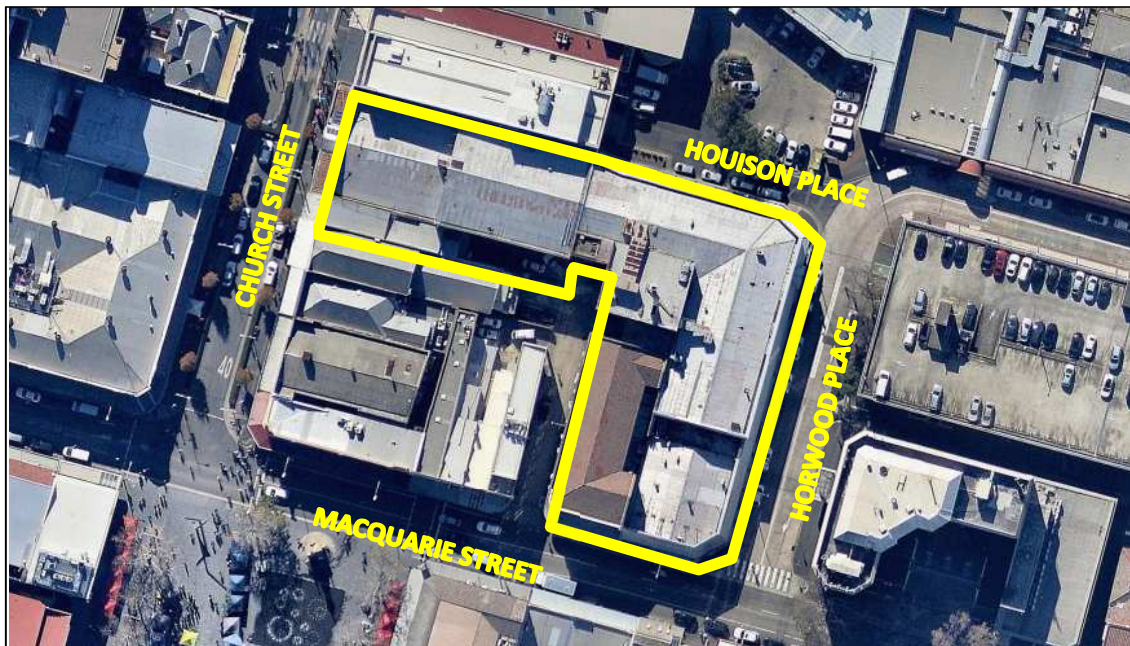


Figure 2: Locality plan



Figure 3: Frontage to Macquarie Street



Figure 4: Frontage to Horwood Place and Houison Place, Parramatta



Figure 5: Frontage to Church Street Parramatta

3. The proposal

The proposal comprises the following primary elements:

- Demolition of all existing structures;
- Bulk earth works across the entire site;
- Construction of a 25 storey commercial development comprising:
 - 2,106m² of retail floor spaces at ground level;
 - 36,963m² of commercial office floor space across 23 levels;
 - 2 basement levels accommodating 73 car parking spaces; 37 motor cycle spaces and 220 bicycle spaces; end of trip facilities and loading/serving areas.
- Public domain improvement works, including the upgrade of United Lane.



Figure 6: Horwood Place/ Houison Place facades



Figure 7: Church Street facade



Figure 8: Macquarie Street facade

4. Site specific planning proposal

A site specific PP was lodged in April 2015 which sought to facilitate a mixed use, but essentially residential, tower of about 67 storeys by amending PLEP 2011 as follows:

- Rationalise the current multiple FSRs in to a single control, being 10:1 across the entire site, plus Design Excellence bonuses;
- Achieve a height control of 210m for all of the site, except the along its Church Street frontage; and
- Achieve exemption from the compliance with sun access plane controls protecting the key part of the Parramatta Square public domain.

In November 2015 council endorsed the PP, however full exemption from the sun access plane control was not agreed. This issue proved central to the progress of this, and other PPs at that time, as the DPE Gateway determination adopted a contrary position, being that new buildings should not result in any new shading of the 'protected' part of the Parramatta Square Public domain.

Ultimately the site specific PP, being amendment No. 29 to PLEP 2011, was notified on 9 November 2018, introducing the following changes to PLEP 2011:

- An increase in FSR to 10:1 across the whole site
- Amending the sun access controls to prohibit overshadowing of the protected area within Parramatta Square between 12-2pm
- A new maximum car parking rate provision in accordance with the CBD Strategic Transport Study.

5. Design Excellence

This application relies upon the 'design excellence' provisions within PLEP 2011 which provide that a bonus FSR or height, of up to 25% can be achieved provided the project is the subject of a design competition process and also demonstrates, on balance, that it satisfies nominated design criteria [per clauses 7.10(4), (5) and (8)].

This proposal is a continuation of a design competition completed in 2012, but re-convened to consider this updated proposal. With the endorsement of the Government Architect Office, council's Design Excellence Advisory Panel has acted as the Competition Jury for this current iteration of the project to consider whether design excellence is maintained relative to the winning scheme from 2012.

The Jury evaluated this proposal on three occasions, and at its meeting on 26 July 2018 determined that the proposal was, on balance, satisfactory when evaluated against clause 7.10(4) subject to further minor design modifications, which could be confirmed by council's City Architect (Jury report attached).

A revised submission, received 3 September 2018 and which is the subject of this assessment, was subsequently endorsed as meeting the Jury's requirements. The scheme has therefore demonstrated 'design excellence' by satisfying the relevant provisions of clause 7.10 and has

therefore secured a maximum FSR of 12.5:1. (i.e. 10:1 achieved via the PP plus 25%).

Note that the DA however only has an FSR of 10.6:1, as a consequence of the sun access controls which prohibit overshadowing by new buildings of the protected area of the Parramatta Square public domain.

6. Public notification

The notification period was 19 October, 2017 until 20 November 2017. One submission was registered against this application, however that submission specifically relates to the concurrent site specific PP for this site.

For the record, that submission is supportive of:

- The provisions in that PP that would prohibit overshadowing of the protected area of Parramatta Square
- Expansion of lands within the CBD affected by those solar protection controls; and
- The DPE Gateway Determination which also stipulates there should be no additional overshadowing of the protected area of Parramatta Square.

7. Referrals

Table 2: Status of referrals

Landscape	No objections - conditions provided
Development Engineer	Issues resolved by amended plans or conditions
Traffic	No objections – conditions provided
Environmental Health (Waste)	No objections – conditions provided
Environmental Health (Contamination)	No objections – conditions provided
Environmental Health (Acoustic)	No objections – conditions provided
City Architect	No objections
Urban Design (Public domain)	No objections - conditions provided
ESD consultant	No objections – conditions provided
City Animation (Public Art)	No objections – conditions provided
Endeavour Energy	No objections however position of substation not resolved. See section 6.5 of Appendix A.
NSW Office of Water	GTA's received
Sydney Water	No objections – conditions provided

8. Environmental Planning and Assessment Act 1979

Table 3: Related provisions of the EPA Act

Does Section 1.7 (Biodiversity Conservation Act/Fisheries Management Act) apply ?	No
Does Section 4.10 (Designated Development) apply ?	No
Does Section 4.46 (Integrated Development) apply ?	Yes
Are submission requirements within the Regulations satisfied?	Yes

9. Consideration of SEPPs

Table 4: Summary consideration of SEPPs

Key issues arising from evaluation against SEPPs	None - see assessment at Attachment A.
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10. Parramatta Local Environmental Plan 2011

The following table presents a summary assessment against the terms of this LEP. A detailed evaluation is provided at section 2.6 in Attachment A.

Table 5: Summary consideration of PLEP 2011

	<i>Comment or non-compliances</i>
Zones	<ul style="list-style-type: none"> B4 Mixed use
Definition	<ul style="list-style-type: none"> Basement Commercial premises
Part 2 Permitted or prohibited development	<ul style="list-style-type: none"> Permissible in the zone Consistent with zone objectives
Part 3 Exempt and complying development	Not applicable
Part 4 Principle development standards	Defers to Part 7 for height and FSR controls
Part 5 Miscellaneous provisions	Relevant provisions satisfied
Part 6 Additional local provisions	Relevant provisions satisfied
Part 7 Additional provisions – City Centre	Relevant provisions satisfied

11. Parramatta Development Control Plan

The proposal is generally consistent with the provisions of the DCP. A detailed evaluation is

provided at section 3 of Attachment A.

12. Planning Agreements and Contributions Plans

The relevant matters are:

- The Parramatta Civic Improvement Plan (Amendment No. 4)

Compliance is achieved by means of a condition of consent requiring payment of a levy equal to 3% of the cost of a development
- Site specific Voluntary Planning Agreement, which is not triggered by this application. See further comments at section 4 of Attachment A.

13. Response to SWCPP briefing minutes

A briefing was provided to the Panel at its meeting on 4 April 2018. The matters noted which relate to assessment considerations have been addressed as demonstrated in the table below:

Table 6: Response to SCCPP briefing comments

<i>Issue</i>	<i>Comment</i>
No overshadowing of Parramatta Square	Resolved – refer to section 2.6 in Attachment A
Owners consent for use of Horwood Place	Received – refer to section 6.8 in Attachment A
Extent and adequacy of public domain works	Resolved – refer to section 6.5 in Attachment A
External materials and ESD considerations	Resolved – refer to section 6.4 in Attachment A

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 provisions of the applicable planning framework. Accordingly, approval of the development application is recommended.

RECOMMENDATION

- A. That pursuant to Section 4.16 of the *Environmental Planning and Assessment Act, 1979* the Sydney Central City Planning Panel grant consent to Development Application DA/828/2017 at Lot 1 DP1041242, Lot 1 DP702291 and Lot B DP394050, being 220-230 Church Street and 48 Macquarie Street, Parramatta, subject to the conditions in Attachment B.

Physical commencement is to occur within five (5) years from the date on the Notice of Determination.

- B. That those persons who made a submission be notified of the Panel's decision.



ATTACHMENT A - PLANNING ASSESSMENT

SWCCP reference	2017SWC122
DA No.	828/2017

1. Environmental Planning and Assessment Act 1979

The relevant sections of the Environmental Planning and Assessment Act 1979 which require consideration are addressed below:

1.1 Section 1.7: Biodiversity Conservation Act 2016/Fisheries Management Act 1994

The application is not captured by the Biodiversity Conservation Act 2016 as the scope of works is not likely to significantly affect threatened species given:

- The current condition of the site, and its location in an established CBD area
- No biodiversity offsets scheme applies; and
- The site is not in a declared area of outstanding biodiversity value

The application is not captured by the Fisheries Management Act 1994.

1.2 Section 2.15: Function of Sydney District and Regional Planning Panels

The Panel is the consent authority as the proposal has a CIV of more than \$30 million.

1.3 Section 4.15(1): Evaluation

This Attachment provides an assessment of the relevant matters for consideration under this section of the Act, as noted in the table below:

Table 1- Matters for consideration

Provision	Comment
Section 4.15(1)(a)(i) - Planning instruments	Refer to section 2 below
Section 4.15(1)(a)(ii) - Draft planning instruments	Not applicable
Section 4.15(1)(a)(iii) - Development control plans	Refer to section 3 below
Section 4.15(1)(a)(iiia) - Planning agreements	Refer to section 4.1 below

Section 4.15(1)(a)(iv) - The Regulations	Refer to section 5 below
Section 4.15(1)(b) - Likely impacts	Refer to section 6 below
Section 4.15(1)(c) - Site suitability	Refer to section 7.1 below
Section 4.15(1)(d) - Submissions	Refer section 7.2 below
Section 4.15(1)(e) - The public interest	Refer to section 8

1.4 Section 4.46: Integrated Development

Water Management Act 2000 (Nominated Integrated Development)

Excavation for the basement will intercept the groundwater table and consequently an activity approval under section 91(3) of this Act is required. WaterNSW has provided General Terms of Approval which is addressed in the conditions at Attachment B.

National Parks and Wildlife Act 1974

The application as lodged nominated this proposal as Integrated Development under this Act, as the proponent's preliminary investigations identified a potential for Aboriginal cultural heritage to be present at the site.

Upon review the Office of Environment and Heritage (OEH) advised that because there are no known Aboriginal objects on the subject site, the development is not integrated for the purposes of this Act.

Notwithstanding, the applicant will still need to apply for relevant approval under this Act for both test excavations, and salvage of artefacts, if required. This matter is addressed by condition in at Attachment B.

2. Environmental planning instruments

2.1 Overview

The instruments applicable to this application comprise:

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

Compliance is addressed below.

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

Clause 7 of SEPP 55 requires the consent authority to consider if land is contaminated and, if so, whether it is suitable, or can be made suitable, for a proposed use.

This application is supported by a Preliminary Environmental Site Assessment which notes:

- The site is not listed relative to Section 58 of the Contaminated Land Management (CLM) Act 1997.
- Aerial photographs support that the site was predominantly commercial since the late 1920s.
- In the 1970's, the construction of the L-shaped Greenway Arcade was observed. No major modification to the building structure was noted from its initial construction.
- The surrounding properties were predominantly commercial properties with major commercial modifications to the surrounding properties since 1970's.
- A number of potential areas of environmental concerns were identified at the site, particularly:
 - Whole site where uncontrolled fill was imported to level the site prior to the construction of the buildings and the filling of previous low lying areas;
 - Carpark area / driveways where leaks and spills from cars may have occurred; and
 - Where pesticides were potentially utilised within the site;
- Laboratory results for the soil samples analysed were all lower than the relevant regulatory guideline criteria adopted for this development.

The report subsequently provided the following conclusion:

"Based on the results of this investigation is considered that the risks to human health and the environment associated with soil contamination at the site are low in the context of the proposed use of the site.

Fill materials were encountered to an approximate depth of 2.5m BGL in the vicinity of United Lane. The fill material appeared "visually clean", with no staining and/or foreign materials observed within the profile. The extent of fill material beneath the remainder of the site may vary in depth and profile to that which was encountered in borehole BH1, however, if the fill material was similar to that which was encountered, there would be a low risk of contamination for excavation purposes.

Any soils proposed for removal from the site should initially be classified in accordance with the "Waste Classification Guidelines, Part 1: Classifying Waste" NSW DECC (2009)."

The report was reviewed by council's Environmental Health Unit, who raised no objection subject to the imposition of appropriate conditions, which are included at Attachment B.

Given the above it is concluded that the requirements of clause 7 of the Policy are satisfied.

2.3 Deemed State Environmental Planning Policy (Sydney Harbour Catchment) 2005

This Policy applies to all of the City of Parramatta local government area. It 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 principles and controls for the whole catchment.

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 will be achieved through the imposition of suitable conditions to address the collection and discharge of water, both during construction and upon completion.

2.4 State Environmental Planning Policy (Infrastructure) 2011

The aim of this Policy is to facilitate the effective delivery of infrastructure across the State. Part 3 of the Policy (Development controls) is applicable as follows:

Division 15 – Railways

The site immediately adjoins the route of the Parramatta Light Rail, and consequently the following provision apply:

- Clause 85 – Development adjacent to rail corridors.
- Clause 86 – Excavation in, above or below rail corridors

The application was therefore referred to Transport for NSW (TfNSW) who:

- Raised no objection relative to clause 85; and
- Granted its concurrence, subject to conditions, as required by clause 86.

Division 17 – Roads

Consistent with clause 104 this Policy and Schedule 3 of this Policy (Traffic Generating Development) the application was referred to Roads and Maritime Services (RMS), who raised no objection.

The conditions nominated by TfNSW and RMS are included at Attachment B.

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

This application is captured by Part 4 of this Policy which provides that the Panel is the consent authority for this application.

2.6 Parramatta Local Environmental Plan 2011

Zoning and permissibility

The site is zoned “B4 Mixed use” under this Plan. The proposal meets the definition of ‘commercial premises’ which is permissible with consent in that zone.

Zone objectives

Clause 2.3(2) requires the consent authority to have regard to the zone objectives when determining a development application. The objectives for the R4 zone are to:

- Provide a mixture of compatible land uses.
- Integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- Encourage development that contributes to an active, vibrant and sustainable neighbourhood.
- Create opportunities to improve the public domain and pedestrian links.
- Support the higher order Zone B3 Commercial Core while providing for the daily commercial needs of the locality.
- Protect and enhance the unique qualities and character of special areas within the Parramatta City Centre.

The proposal is consistent with those objectives.

Remaining provisions

Consideration of the remaining provisions of the Plan relevant to this application are addressed in the following table:

Table 2: PLEP 2011 compliance table

Clause	Comment	Complies
Clause 2.7 Demolition	Permissible with consent.	Yes
Clause 4.3 Building height	The Church Street frontage of the site has a 12m height limit, which is satisfied. For the remainder of the site no height limit is nominated. Instead, the Sun Access Plane controls apply via clause 7.4—see below.	Yes
Clause 4.4 Floor space ratio	Defers to clause 7.2 for specific controls for the city centre.	N/A
Clause 5.1 Relevant acquisition authority	The site does not include land mapped for the purposes of this clause.	N/A
Clause 5.10 Heritage	<ul style="list-style-type: none">• Not a listed heritage item, nor within a conservation area.• Numerous heritage items are in the immediate locality. The application is supported by a HIS. [clause 5.10(5)].• Not a listed archaeological site [Clause 5.10(7)]• Not a place of aboriginal significance [Clause 5.10(8)] See further assessment at section 6.7.	Yes

Clause 6.1 Acid sulphate soils	<ul style="list-style-type: none"> The site comprises "Class 4" acid sulphate soils (ASS) Consent is required as the proposal involves works more than 2m below ground level The application is supported by ASS Management Plan as required by subclause (3) 	Yes
Clause 6.2 Earthworks	<ul style="list-style-type: none"> Consideration of potential impacts upon drainage patterns, and proximity to watercourses have been considered by Council's Development Engineer, who is satisfied the works can be managed without impact. Site works will not prejudice the future development of any adjoining land, or the amenity of that land. Issues relating to soil quality addressed via considerations of SEPP 55 above Potential for relics addressed at section 6.7 below. 	Yes
Clause 6.3 Flood Planning	Council's Development Engineer is satisfied the design properly responds to flood constraints. Refer to section 6.9 below.	Yes
Clause 7.2 Floor space ratio	The FSR is 10:1 resulting from the site specific PP. Controls then defer to clause 7.10 which affords bonus FSR for design excellence.	N/A
Clause 7.3 Car parking	Site specific parking rates apply for this site. Those rates result in the need for a maximum supply of only 74 spaces. The plans comply, with 73 spaces provided.	Yes
Clause 7.4 Sun access	This clause aims to protect solar access to key areas of the public domain, by, in this instance, prohibiting development that would result in additional overshadowing of a protected area of Parramatta Square between 12noon and 2pm. Modelling provided by the applicant, and reviewed by council, confirms that this proposal complies with this requirement.	Yes
Clause 7.6 Air space operations	This site is not identified on the relevant map, and therefore this clause does not apply. Notwithstanding, this proposal is well below the 156m AHD height limit, when this matter becomes an issue for consideration.	N/A
Clause 7.10 Design Excellence	<ul style="list-style-type: none"> Need for a design competition is triggered by virtue of building height exceeding 55m and a CIV of \$100 million [clause 7.10(5)] Matters for consideration were evaluated via Design Jury review [clause 7.10(4)] The proposal relies upon a FSR bonus of up to 25% as a result achieving design excellence [clause 7.10(8)]. For further information on the design competition process refer to section 5 of the Executive summary, above. <p>The proposal has an FSR of 10.6:1 which satisfies the maximum of 12.5:1 (i.e. 10:1 plus a max 25% via Design Excellence).</p>	Yes

3. Parramatta Development Control Plan 2011

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

Table 3: PDCP 2011 compliance table

Part 2 – Site planning		Complies
2.4.1 Views and vistas	Satisfactory - see comments at section 6.7	Yes
2.4.2 Water management	<ul style="list-style-type: none"> Flooding risk (1% ARI and PMF) satisfactorily managed by passive and active design measures. Waterways protected through control of stormwater and water quality during and post construction Protection of ground water addressed by GTAs issues for de-watering. 	Yes
2.4.3. Soil management	<ul style="list-style-type: none"> Sedimentation to be addressed by conditions ASS addressed by management plan – refer to LEP above. 	Yes
2.4.4 Land Contamination	<ul style="list-style-type: none"> Defer to SEPP 55 assessment above 	Yes
2.4.5 Air Quality	<ul style="list-style-type: none"> Standard conditions will be imposed to manage construction 	Yes
2.4.6 Sloping ground	NA	
2.4.7 Biodiversity	NA	
2.4.8 Public Domain	Design and treatment of public domain upgrade works, including for United Lane, confirmed as satisfactory by Urban Design (Public Domain) and Civil Assets team. Conditions provided.	Yes
Part 3 – Development principles		Complies
3.1 Building envelope	Envelope controls determined by LEP and DCP provisions for City Centre.	N/A
3.2 Building elements	Defer to LEP and DCP controls for city centre	N/A
3.3 Environmental amenity	<ul style="list-style-type: none"> Onsite landscape treatment satisfactory Visual and acoustic privacy satisfactory for B4 zone. No residential buildings in proximity to site. ESD considerations addressed in detail via Design Excellence process Arrangements for stormwater collection and disposal are satisfactory 	Yes

3.4. Social amenity	<ul style="list-style-type: none"> Preliminary public art strategy provided is satisfactory however further refinement required. Addressed by conditions. Equitable access and facilities ensured via compliance with BCA, DDA and relevant standards. Addressed by conditions. Assessment against CPTED considerations is satisfactory. Addressed by conditions 	Yes
3.5 Heritage	Refer to section 6.7 below.	Yes
3.6 Movement & circulation	<ul style="list-style-type: none"> Parking supply is satisfactory Geometry of basement parking and service areas is satisfactory <p>Refer to section 6.8 below.</p>	Yes
Part 3 – Development principles		Complies
4.3.3.1 Building form	<ul style="list-style-type: none"> Site has at least one frontage >20m On building alignment to street boundary generally achieved. Variations are either minor, or otherwise allow for suitable outcomes at ground level as confirmed by the design excellence process. Street wall heights and tower setbacks comply to Church and Macquarie Street frontages. Tower setbacks to Horwood Place, United Lane and Housion Place depart from DCP controls, but confirmed as acceptable by City Architect and Design Jury through design excellence process. Building separation as a determined by tower setbacks satisfactory via design excellence process. Building depth and bulk satisfactory on merit, noting no specific controls for B4 zone. Wind impacts appropriately mitigated by way of building design – see further comments at section 6.5 below. Façade composition and schedule of external materials satisfactory via design excellence process Building height and form maintains solar access to protected area of Parramatta Square as required by clause 7.4 the LEP. 	Yes
4.3.3.2 Mixed use buildings	<ul style="list-style-type: none"> Retail uses provided at ground level Ceiling heights comply Active facades provided at all ground floor frontages Service facilities located in basement or otherwise arrange to minimise disruption to public domain 	Yes
4.3.3.3 Public domain and pedestrian amenity	<ul style="list-style-type: none"> Existing arcade between Horwood Place and Church St retained Active frontages provided to all streets Street entry provided to each frontage except Housion Lane. However, design allows for future access to Housion Lane pending outcomes of redevelopment of neighbouring sites. Awning provided to Church Street, Macquarie and Horwood frontages as required Awnings wrap around street corners as required 	

4.3.3.4 Views and Corridors	<ul style="list-style-type: none"> Relevant view corridor (#5) north along Church Street not impacted as building complies with LEP height controls to Church Street 	Yes
4.3.3.5 Access and parking	<p><i>Location of Vehicle access</i></p> <ul style="list-style-type: none"> No new access proposed to Macquarie St, as required Only one access point provided, as required Design of vehicle access satisfies nominated criteria <p><i>Pedestrian access and mobility</i></p> <ul style="list-style-type: none"> Pedestrian entry points clearly defined and highly visible within street frontages Entry points provide barrier free access to the ground floor Compliance with AS/BCA/DDA to be achieved by conditions <p><i>Vehicle driveways and manoeuvring</i></p> <ul style="list-style-type: none"> Design of access ramp and onsite manoeuvring areas satisfactory per advice from Traffic Engineer <p><i>On site parking</i></p> <ul style="list-style-type: none"> Defer to LEP assessment above <p><i>Above ground car parking</i></p> <p>Not applicable</p>	Yes
4.3.3.6 Environmental Management	<p><i>Landscape design</i></p> <ul style="list-style-type: none"> On site landscaping treatment satisfactory via design excellence process and as confirmed by Landscape and Tree Officer. Public domain treatment satisfactory as confirmed by Urban Design (public domain) team <p><i>Energy and Water Efficient Design</i></p> <p>See further comments at section 6.4 below.</p>	Yes

4. Planning Agreements or Contributions Plans

4.1 Voluntary Planning Agreement

When Council endorsed the site specific PP in November 2015 (refer to section 4 of the Executive Summary) it also resolved to enter into a Voluntary Planning Agreement (VPA) with the applicant.

The VPA is only relevant if this site is re-developed for residential purposes, and therefore is not triggered by this application. However, council is proceeding to complete the VPA process

in case this project does not proceed and a future application for a residential scheme is received.

In summary, that VPA:

- Requires payment to council of \$1,813,650 which will be used for public domain works in the Parramatta CBD;
- Does not exclude the operation of section 7.12 of the EPA Act.

At its meeting on 8 October 2018 council resolved to endorse the VPA. Included in the conditions at Attachment B is a requirement that this VPA be executed prior to the issue of any Construction Certificate.

4.2 Section 7.12 contributions

Included at Attachment B is a condition requiring payment of a contribution in accordance with the Parramatta City Centre S94A Development Contribution Plan

Note that the costs of upgrading of United Lane are not an offset against required contributions on the basis that those works were a component of the winning scheme from the design excellence competition, and therefore necessarily form part of the scope of this application.

5. Environmental Planning and Assessment Regulation 2000

The recommendation of this report includes conditions to implement 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.

6. Likely impacts

6.1 Context and setting

The Land and Environment Court planning principle established in *Project Venture Developments v Pittwater Council* provides the following test to determine whether a proposal is compatible with its context:

Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites ?

This proposal will not result in any adverse physical impacts as follows:

- Site works and alterations to the ground profile are acceptable;
- Appropriate arrangements will be made for the collection and disposal of stormwater;
- Arrangements for vehicle access, and traffic generation will not compromise safety for road users, and will not reduce the efficiency of the local road network;
- The design and location of the building will not preclude surrounding land from being

- developed in accordance with planning controls; and
- The proposal will not generate noise, cast shadows or diminish views that would be detrimental to adjacent and surrounding sites, or key areas of the public domain.

Is the proposal's appearance in harmony with the buildings around it and the character of the street?

This proposal will have a satisfactory relationship with its context for the following reasons:

- It provides for a land use contemplated by the planning controls;
- Site planning locates built elements in suitable locations to achieve a satisfactory relationship with the public domain, and avoid negative amenity outcomes for adjacent sites and areas of public open space;
- The scale of the building is consistent with planning controls,
- Design and site planning of the project has been an iterative process in conjunction with the Design Competition Jury to ensure that the 'design excellence' provisions of PLEP are achieved;
- The public domain treatment will be satisfactory;
- The operational characteristics of the site will not result in any adverse impacts for adjacent sites or the wider locality.

6.2 Site works

Demolition

Implementation of the proposal will require the demolition of all current built elements. No issues of concern arise. Appropriate conditions are included at Attachment B.

Excavation

Bulk earth works across the entire site, to a depth of about 11m, are required to accommodate the basement levels. The conditions at Attachment B include requirements to ensure these works are properly managed, including structural support for adjoining buildings and monitoring of private and public assets for damage (dilapidation surveys).

Existing utility services will be decommissioned/diverted as necessary to enable construction, and will be augmented as nominated by those service providers to satisfy the demands generated by this proposal.

6.3 Natural and technological hazards

The only hazard identified relates to flooding – see further comments at section 6.9 below.

6.4 Site design and internal design

Site planning

The proposal has appropriately responded to the following constraints:

- Site configuration and multiple street frontages
- Flood planning level
- Limited opportunities for the location of vehicle access
- Need to activate United Lane
- Need to maintain ground level connectivity between Church Street and Horwood Place

Built form and external finishes

These issues were the subject of specific review by both the Design Competition Jury and the City Architect, and are satisfactory.

The conditions at Attachment B include requirements to ensure that the design excellence qualities of the development are not diluted once the project moves into the construction stage, including retention of the project architect for the construction stage, ongoing 'hold points' to enable the Design Excellence Jury to monitor plans and external materials prior to the issue of any relevant Construction Certificate, and again at Occupation Certificate.

Sustainability

Consistent with ESD considerations associated with demonstrating design excellence, the proposal will include a range of sustainability measures, including:

- The building must achieve a 5-star Green Star Design As Built (v1.2 or later) rating;
- The building will be designed and constructed to operate at a minimum NABERS Energy rating of 5.5 stars (base building) without accounting for any Green Power used in the building as per the NABERS Commitment Agreement be entered into with NSW Office of Environment and Heritage;
- The building will be designed and constructed to operate at a minimum NABERS water rating of 4 stars;
- A dual reticulation (dual pipe) will be installed, sufficient size to supply all non-potable water uses of the building and suitable for future connection to a recycled water main.
- Rainwater collection for landscape irrigation, WCS and cooling towers with reuse water; and
- External solar reflectivity of all glazing is not to exceed 19%.

The applicant will also be required to undertake reviews at nominated stages after completion and occupation, to evaluate the efficiency of ESD measure. These matters are addressed by conditions at Attachment B.

Accessibility

The application is supported by a technical report which concludes the proposal is able to achieve compliance with the requirements of the BCA and relevant Australian Standards subject to resolution of nominated design matters. Those matters are minor and can be addressed at the time of the relevant Construction Certificate.

Landscaping

Council's Tree Management and Landscape Officer is satisfied with the landscape treatment

for the on-site elements of the scheme, and has provided conditions for inclusion in any approval.

Compliance with the Building Code of Australia

The application is supported by a technical report which concludes:

“The design as proposed is capable of complying with the Building Code of Australia, and will be subject to construction documentation that will provide appropriate details to demonstrate compliance. This report has identified a number of non-compliances with the deemed-to-satisfy provisions of the BCA. In some cases a design change will be required to achieve compliance. Other areas of non-compliance with the deemed-to-satisfy provisions may be addressed by compliance with the Performance Requirements of the BCA. Whilst the performance based solutions are to be design developed, it is my view that the solutions will not impact on the current design.”

6.5 Public domain

Built form relationship to public domain

A positive public domain outcome will result given:

- A suitable interface is achieved between the ground floor levels and the adjoining footpaths;
- The building addresses its multiple street frontages;
- Vehicle access is consolidated to a single edge of the site;
- Service areas and substations are integrated into the design and do not visually dominate the streetscape or pedestrian areas;
- The building provides for a direct visual connection to streets ensuring a high degree of passive surveillance which will encourage a sense of safety within the public spaces around the site;
- The architectural treatment achieves a suitable streetscape presentation; and
- An appropriate public domain treatment will be provided at all edges of the site.

The design locates an electrical substation on Level 1, adjacent to United Lane. Endeavour Energy requires that substations must be at ground level, however the applicant is confident of securing approval for the position as nominated. Council notes there is a precedent for substations above ground level elsewhere in the CBD. Accordingly, a condition is included at Attachment B requiring Endeavour Energy approval for the location of the substation prior to the issue of the relevant Construction Certificate.

Upgrade to United Lane

United Lane will be altered to operate as a shared zone to prioritise this space for pedestrians, whilst still allowing for vehicle access for adjoining land to the west. A new treatment, including a variety of pavement materials, bollards and signage will be provided. This treatment will be embellished by landscaping along the parts of the western edge of the site, immediately adjacent to the laneway.

The scope of works and design detail has been assessed as satisfactory by council's Urban Design (Public Domain) and Civil Assets teams. Conditions to manage these works are included at Attachment B.

Wind impacts

The application is supported by technical reports identifying wind conditions at various locations within the public domain adjoining the site, internal pedestrian arcades and the multiple elevated terrace spaces of the building. Council appointed external consultants to evaluate those contentions, which identified the need for additional mitigation measures. Those requirements have been incorporated into the architectural and landscape plans.

6.6 Relationship to adjacent sites

Operational noise

The main mechanical sources associated with the proposed development include:

- Cooling towers located in the rooftop plant room in the Church St building
- Carpark exhaust fan (CPEF) discharging on the rooftop of the Church St building
- Mechanical services with intake located at supply air louvre on ground floor in Macquarie St building
- Level 9, 24 and rooftop plant rooms

The application is supported by an acoustic report which has assessed the operational noise impacts relative to 'residential – evening' criteria, which is the most stringent control. Such is appropriate, as although the site is centrally located within the CBD, with no non-residential uses in proximity, the zoning pattern nevertheless allows for residential development to the north, west and south of the site.

The acoustic report identifies a range of amelioration measures associated with the selection and installation of future mechanical plant to achieve relevant noise criteria.

The acoustic report has been reviewed and accepted by council's Environmental Health Officer. Conditions to implement the recommendations of the acoustic report are included at Attachment B.

6.7 Heritage

Relationship with nearby heritage items

The site adjoins, and is also in proximity to, multiple local heritage items – refer Figure 1. As required by the LEP, the application is supported by a Heritage Impact Statement (HIS). That report provides an evaluation of the impacts of the proposal using guidelines set out by

the NSW Heritage Office (now Heritage Division of the Office of Environment & Heritage).

The HIS notes that the height, density, form and finishes of the proposal are likely to have some minor but acceptable impacts on the streetscape of Church and Macquarie Streets and

the interface with heritage items in close proximity, and provides the following overall conclusion:

“The proposed works to the subject site of 50 Macquarie Street & 220 Church Street, Parramatta, as described above, do not adversely and unacceptably impact upon the identified heritage significanceor heritage items in close proximity.”

The methodology and evaluation within in the HIS is satisfactory, and its conclusion is therefore acceptable.

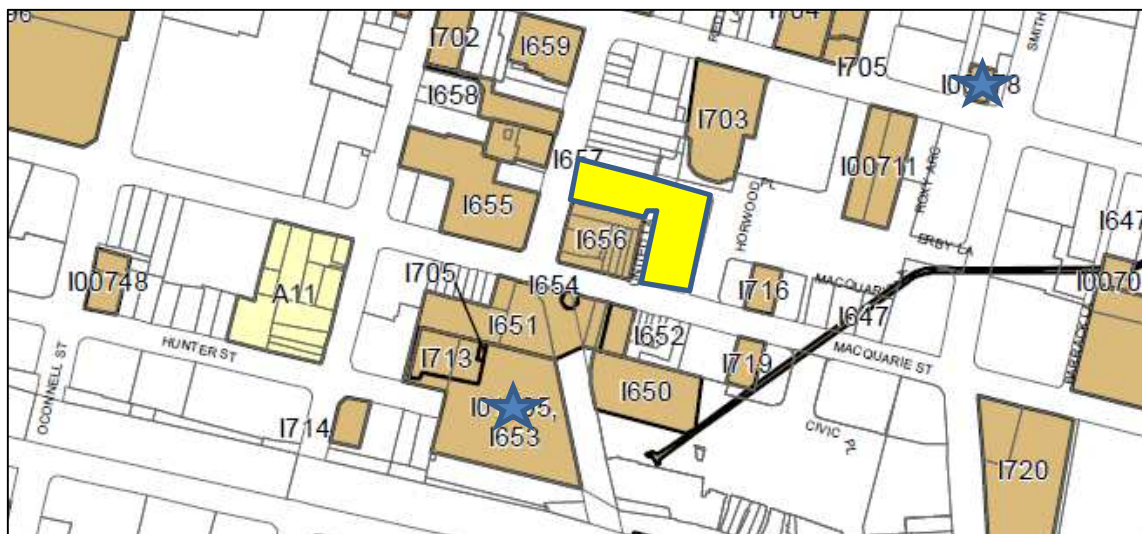


Figure 1: Heritage items within proximity to the site. (sites marked with Star are state heritage items)

View corridors

The HIS provides the following commentary with regard to evaluation of outcomes for the relevant view corridors nominated in Parramatta DCP 2011:

“Parramatta DCP defines nine ‘historic views’ in Parramatta CBD. “View 3 – view to St John’s Church and square from north” and “View 5 – views south along Church Street”, are shown at Figure 67, Figure 68, Figure 69 and Figure 70, and include photomontages prepared by Crone Architects, identifying the proposed commercial building and envelope will be on the periphery of the historic views. None of these views would be impacted upon by development on the subject site. Views along Church Street to St John’s Church and square would remain uninterrupted with development shown as a distant backdrop.”

And

“Visual Impacts Assessments prepared by Crone Architects indicate development of the

subject site would not interfere with identified significant views and view corridors associated with Historic View 3 and Historic View 5. The view analysis indicates the two proposed commercial buildings would be located along the periphery of the historic view corridors and would have little negative heritage impact on views to heritage items along Church Street and St Johns Church and square.”

The methodology and evaluation within the HIS is satisfactory, and its conclusion is therefore acceptable.

Aboriginal archaeology

Council has identified the site as having potential state archaeological significance, and exceptional research potential. The application is therefore supported by a comprehensive Aboriginal Archaeological Assessment (AAA) which, in summary, provides the following conclusion:

“This assessment has determined that the study area contains Aboriginal archaeological and cultural heritage significance and has the potential to contain subsurface Aboriginal archaeological deposits which will be disturbed during the proposed redevelopment. The evidence also indicates that it is highly likely that such deposits will contain contact archaeology, and possibly evidence of occupation during the period of the Native Conferences.”

The AAA consequently recommends:

1. Aboriginal consultation should be undertaken in accordance with OEH guidelines.
2. An Aboriginal Heritage Impact Permit (AHIP) under Part 6 of the *National Parks & Wildlife Act 1974* must be applied for
3. Archaeological testing and salvage excavations should be undertaken in accordance with the approved AHIP; and
4. An interpretation plan should be prepared and implemented which details the Aboriginal history of the site.

On the basis of the report, the application was lodged, notified and referred as integrated development for the purposes of the National Parks and Wildlife Act 1974. OEH subsequently advised that:

- The application cannot be integrated development for the purposes of the NPW Act because there are no known Aboriginal objects on the subject site, per section 4.46(2)(a) of the Act. Consequently, no General Terms of Approval can be issued.
- However, an AHIP for test excavation is required in order to identify the presence of Aboriginal objects and to determine their nature, extent and significance, particularly as contact archaeology may be present at the site.
- Dependent on the results of the test excavation, a subsequent AHIP for harm may be necessary.

Appropriate conditions are therefore included at Attachment B.

Historic archaeology

The Parramatta Historical Archaeology Landscape Management Study (PHALMS) subdivides Parramatta into Archaeological Management Units (AMUs). Each unit has been assigned a broad level of archaeological potential and significance. PHALMS included a preliminary assessment of research potential for each AMU. This site is within AMU 3075, which includes parts of a larger block area bound by Church, George and Macquarie Streets.

The Statement of Significance for this AMU noted:

This AMU has exceptional archaeological research potential. This area was part of the early Rose Hill settlement and the commercial centre of Parramatta through the convict and colonial periods to the present day. The physical archaeological evidence within this area may include built landforms, structural features, intact subfloor deposits, open deposits and scatters, ecological samples and individual artefacts which have potential to yield information relating to major historic themes including Commerce, Convicts, Cultural Sites, Government and Administration, Housing, Land Tenure, Law and Order, Labour and Townships. Archaeological evidence at this site is likely to be subject to minor disturbance. This AMU is of State significance.

The application is supported by a comprehensive Historical Archaeological Assessment (HIA) which, in summary, provides the following results:

- Despite predicted disturbance in some sections of the site and potential and known historical uses, the site is considered to have low to moderate potential for State significant archaeology, and moderate to high areas of potential to contain historical archaeological remains of local significance. Such remains include:
 - Evidence of at least one or two convict structures present on Church Street as early as c.1790 representing the earliest British settlement period in Parramatta, potentially of State significance.
 - A pre-1823 house on Macquarie Street, remaining until at least 1855, possibly 1888, possibly of State significance.
 - Parts of two to three early to mid-19th structures and allotments within the footprint of 222– 30 Church Street, local significance.
 - Two houses and two timber sheds at 48 and 54 Macquarie Street by 1888 belonging to a long-term resident and coachbuilder; the residences possibly present as early as 1855.
- In terms of extensive impacts on buried archaeological remains, there is a relatively small basement area in the middle of the site. The c.1954 commercial building on Macquarie Street and post-1950 Coles and subsequent construction of the Greenway Plaza currently on the remainder of the site are expected to have removed the archaeological resource within the footprint of strip footings and service trenches.
- The development proposed for the site will remove any potential surviving archaeology.

Noting the potential for the site to include archaeology of State significance, the matter was referred to the Office of Environment and Heritage (OEH) who advised:

“....the current proposal would not be able to retain any early convict archaeological remains in situ, if found. A s.140 application under the Heritage Act 1977 is recommended.... as a condition of consent to assess the archaeological impact. In light of this, it is not appropriate for us to comment on a future decision in relation to the s.140 application. However, the Heritage Council of NSW has previously determined, in other similar situations, where substantially intact State significant historical archaeological remains are identified, that it be retained in situ and conserved, where possible. This may require a reconsideration on the part of the Applicant of the final design of this project should such remains be confirmed at this site.”

The OEH has nominated conditions for inclusion in any consent, which require:

- No excavation or ground disturbance works should occur on site until a s.140 permit has been approved by the Heritage Council of NSW. Excavation and ground disturbance will be coordinated with Aboriginal archaeology and the *National Parks and Wildlife Act 1974* approval process, where this potential is identified as likely.
- The Applicant is to prepare an Interpretation plan for the site which incorporates the results of the archaeological investigations undertaken on the site, to be endorsed prior to the issue of any Occupation Certificate.

Old Government House and Domain

Old Government House and Government Domain' (OGHGD) within Parramatta Park, a distance west of the subject site, are together included on the National Heritage List. A large part of the National Heritage listed property is also inscribed on UNESCO's World Heritage List as part of the Australian Convict Sites serial listing. 'Parramatta Park & Old Government House' are also listed on the State Heritage Register under the provisions of the Heritage Act 1977. This listing covers the whole of Parramatta Park including the Parramatta Golf Club on the southern side of the railway.

Although Old Government House and the Government Domain lie some distance from the subject site, the HIS has, rightly, examined potential impacts as a result of this proposal.

The HIS notes:

- *A report titled, "Development in Parramatta City and the Impact on Old Government House and Domain's World and National Heritage Listed Values: Technical Report" identifies the subject site to be in a "sensitive area" and form part of a "high significance view" from Old Government House and Domain. The Technical Report provides Future Development Guidelines relevant to the subject site, including the following:*
 - A5.1 Ensure the tallest buildings are located within the City Central precinct;*
 - B6.1 Ensure the towers are well proportioned, with a visually interesting top, and an elevation that enhances the skyline;*
 - B6.3 Ensure buildings are designed to the highest contemporary architectural standards.*

The proposal is in accordance with these guidelines and would be considered to have an acceptable heritage impact on the significance of Old Government House and Domain. Therefore, no EPBC referral would be required; and
- *The proposal would be visible from some areas within OGHGD, until sites are developed in the centre of the CBD. The 24-storey commercial building would not be visible from the main entry to Old Government House due to existing mature tree plantings within the Domain. In response to concerns over proposed tall development in Parramatta and its impacts on OGHGD, a 'technical report' on visual impacts has been prepared. That report confirms that although there may be impacts on OGHGD, there would be no significant impact'.*

The methodology and evaluation within the HIS is satisfactory, and its conclusion is therefore acceptable.

6.8 Access, transport and traffic

Use of Horwood Place for access

Despite its current condition and function, Horwood Place is not a public road and there are no legal entitlements permitting public access. This circumstance occurred in 2001 when all CBD council carparks were re-classified as 'operational land' under the Local Government Act 1993. Instead, Horwood Place remains part of Lot 100, DP 607789, which is owned by Council. In addition to Horwood Place and Macquarie Lane, Lot 100 supports a multi-deck car park, as shown on the image below.

The proposal locates access to the basement levels to the rear of the site, off Houison Place, as indicated on Figure 2 below. That arrangement is supported for urban design reasons, and also because it accommodates operational changes to Macquarie Street arising from the implementation of stage 1 of Parramatta Light Rail. However, it necessarily involves vehicles using Horwood Place, and therefore the consent of council as owner of Lot 100 is required. That consent was granted by letter dated 16 November 2018.



Figure 2: Lot 100 DP 607789 (highlighted) and location of basement entry

Vehicle access and basement design

Council's Traffic Engineer has confirmed that the geometry and design of parking areas within the basement is satisfactory. The design and function of the turntable for service vehicles has been specifically considered and is also acceptable, and the proponent's intention to implement a Loading Dock Management Plan is supported. The supply of loading docks (5 for car size vehicles and 2 for medium rigid trucks) is satisfactory in conjunction with that management plan. Appropriate conditions are included at Attachment B.

Design of United Lane

Council's Traffic Engineer has identified that the built form at the junction of Macquarie Street

and United Lane will not allow for minimum sight lines for pedestrian safety, as required by AS 2890.1-2004. Typically, a splayed corner treatment is needed to achieve the required outcome, however that approach in this instance would impact key elements of the endorsed architectural treatment.

Therefore, to enable further investigation of a revised treatment a condition is recommended allowing for amended plans to be approved by council, prior to the issue of any CC for works at ground level. Refer to Attachment B.

Traffic impacts

The application is supported by a Transport Impact Assessment report which considers consequences for the operations of the local road network associated with traffic generated by this proposal. That report:

- Identifies AM and PM peak hour vehicle trips
- Identifies traffic distribution for those AM and PM peaks
- Provides the results of SIDRA modelling of those outcomes on the operational efficiency of key intersections within the street network.

The report concluded that:

“...the proposed development will have no measurable impacts on key intersections analysed above with only a slight change to existing Levels of Service during the AM Peak for the intersection of Horwood Place & George Street with all other intersections operating at a Level of Service A in morning, evening and weekend peak periods.”

The report was reviewed and assessed as satisfactory by council's Transport and Traffic team. Note that the project has since been amended to reduce the onsite parking supply by half, as required by the site specific planning controls.

6.9 Water management

Flood impacts

The site is affected by Parramatta River flooding, with slightly different 100 year ARI flood levels at the Church Street and Macquarie Street frontages (refer to Figure 3 below). This site is also affected by overland flow flooding from rainwater in the local catchment.

The Applicant has satisfactorily addressed required floor levels at or near ground level in response to all of the relevant flood planning levels that affect the site from Parramatta River flooding and from overland flow flooding.

The site is also affected by the Probable Maximum Flood (PMF) from the Parramatta River. This level is RL 12.7m AHD in Church Street and RL 12.3m AHD in Macquarie Street. The lower value of RL 12.3m AHD is applied to this consent. Requirements to flood-proof the basement from PMF flooding and to provide safe evacuation routes from the basement to 'shelter in place' facilities inside the building above the PMF will be required, and can be approved by Council prior to relevant Construction Certificates.



Figure 3: Extent of 1 in 100 year flood – site in black.

Stormwater

The site drains to the Council piped stormwater system in Macquarie Street. Some changes are required to the civil and stormwater plans to ensure the system is designed to meet council's minimum standards.

The OSD tank is to be reviewed prior to the relevant Construction Certificate, particularly in regard to WH&S issues, the number of accesses and ventilation. These matters are addressed by conditions.

Water quality during construction

This matter is addressed by conditions.

Water Sensitive Urban Design (WSUD)

Stormwater WSUD has been included in the design. There are roof gardens, rainwater capture and use, tree pits and bio-retention at ground level and a treatment train with Music modelling to show performance. However apart from the bio- retention garden along the northern edge of the building, the WSUD system is not clear from the drawings. Further details are therefore required, which can be approved by Council prior to the relevant Construction Certificates.

Groundwater management for construction phases

Council requires waterproofed (tanked) construction of the basement to ensure groundwater does not penetrate that structure. Basement walls and the base slab must be designed to withstand hydrostatic loading. Groundwater must be conveyed around the basement to replicate predevelopment groundwater flow conditions. These matters are addressed by conditions.

6.10 Waste management

Construction phase

A condition is nominated requiring the submission of a WMP prior to commencement of works, as recommended by Council's Environmental Health Officer.

Operational phase

The application is supported by a Waste Management Plan addressing arrangements for the storage and collection of general waste/recyclables and trade waste. The development will be serviced by private contractors only. Council's Environmental Health Officer raises no objections and has provided conditions for inclusion in any approval.

6.11 Construction Management

To minimise nuisance during the construction period, and, a construction management plan, addressing the following matters, will be required:

- Dilapidation reports;
- Demolition and removal of hazardous materials;
- Sediment and erosion control and water quality during construction;
- Construction traffic management plan;
- Hours of works;
- Construction noise and vibration;
- Material delivery and storage;
- Safety fencing;
- Traffic and pedestrian safety;
- Dust control; and
- Tree protection.

To ensure co-ordination with the construction of PLR stage 1, given the potential for timing of these two projects to overlap, the CMP will require endorsement by both council and TfNSW. This matter is addressed by condition at Attachment B.

6.12 Safety, security and crime prevention

Crime Prevention Through Environmental Design (CPTED) is a recognised model which provides that if development is appropriately designed it is anticipated to assist in minimising the incidence of crime and contribute to perceptions of increased public safety.

Evaluation of the application with consideration of the principles which underpin CPTED (surveillance; access control; territorial reinforcement and space management) indicates the design has given due regard has been given to those considerations.

To ensure a suitable outcome is achieved, the recommendation includes conditions which require the following measures:

- Internal and external lighting to Australian Standards;
- Installation of CCTV to the basement entry;
- Way finding measures within the parking levels;

These matters are addressed by conditions.

6.13 Social and economic impacts

No adverse impacts have been identified.

7. Site suitability

7.1 Does the proposal fit the locality

Subject to the conditions provided within the recommendation to this report the site is suitable for this development given:

- The proposal is an appropriate “fit” for the locality given the preceding analysis which demonstrates a lack of adverse built form and operational impacts; and
- Site attributes are conducive, constraints/hazards can be properly and reasonably mitigated.

7.2 Public submissions

One submission was registered to this application, however that submission specifically, and only, relates to the concurrent site specific PP for this site. (refer section 6 of Executive Summary)

8. Public interest

The draft District Plan sets out opportunities, priorities and actions and provides the means by which the Greater Sydney Region Plan, *A Plan for Growing Sydney* can be put into action at a local level.

Broadly, the priorities and actions within the draft plan for the West Central District are:

- Support and deliver GPOP
- Encourage employment growth
- Create a more connected District
- Improving housing design and diversity
- Design vibrant and active centres
- Provide communities with better services
- Showcase the Western Sydney Parklands
- Improve access and health of waterways
- Manage growth with eco-friendly planning

This proposal is consistent with priorities and actions for increasing employment opportunities and contributing to an active and vibrant centre. Noting that, and subject to implementation of conditions provided at Attachment B, no circumstances have been identified to indicate this proposal would be contrary to the public interest.



ATTACHMENT B - CONDITIONS OF CONSENT

SWCCP reference	2017SWC122
DA No.	828/2017

GENERAL MATTERS

Approved plans

1. The development is to be carried out in accordance with the following **architectural plans** prepared by Crone Architects, 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:

Plan No.	Issue	Plan Title	Dated
DA-000-001	4	Cover Sheet	30.8.18
DA-000-002	4	Drawing List	30.8.18
DA-100-110	4	Location Plan	30.8.18
DA-102-110	4	Demolition Plan	30.8.18
DA-103-110	4	Alignment Plan	30.8.18
DA-103-111	4	Alignment Sections Macquarie Street & Horwood Place	30.8.18
DA-103-112	4	Alignment Sections Houison Place & Church Street	30.8.18
DA-103-113	4	Alignment Sections United Lane	30.8.18
DA-705-000	2	GFA Area Summary	18.9.18
DA-705-001	4	GFA Plans - Sheet 1	30.8.18
DA-705-002	4	GFA Plans - Sheet 2	30.8.18
DA-705-003	4	GFA Plans - Sheet 3	30.8.18
DA-705-004	4	GFA Plans - Sheet	30.8.18
DA-705-701	4	Shadow diagrams June 21	30.8.18
DA-705-702	4	Shadow diagrams June 21	30.8.18
DA-A-115-07	4	GA Plan - Level B03	30.8.18
DA-A-115-08	4	GA Plan - Level B02	30.8.18
DA-A-115-09	4	GA Plan - Level B01	30.8.18
DA-A-115-10	4	GA Plan - Level Ground	30.8.18
DA-A-115-11	4	GA Plan - Level L01	30.8.18
DA-A-115-12	4	GA Plan - Level L02	30.8.18
DA-A-115-13	4	GA Plan - Level L03	30.8.18

Plan No.	Issue	Plan Title	Dated
DA-A-115-14	4	GA Plan - Level L04	30.8.18
DA-A-115-15	4	GA Plan - Level L05	30.8.18
DA-A-115-16	4	GA Plan - Level L06	30.8.18
DA-A-115-17	4	GA Plan - Level L07	30.8.18
DA-A-115-18	4	GA Plan - Level L08	30.8.18
DA-A-115-19	4	GA Plan - Level L09	30.8.18
DA-A-115-20	4	GA Plan - Level L10	30.8.18
DA-A-115-21	4	GA Plan - Level L11	30.8.18
DA-A-115-22	4	GA Plan - Level L12	30.8.18
DA-A-115-23	4	GA Plan - Level L13	30.8.18
DA-A-115-24	4	GA Plan - Level L14	30.8.18
DA-A-115-25	4	GA Plan - Level L15	30.8.18
DA-A-115-26	4	GA Plan - Level L16	30.8.18
DA-A-115-27	4	GA Plan - Level L17	30.8.18
DA-A-115-28	4	GA Plan - Level L18	30.8.18
DA-A-115-29	4	GA Plan - Level L19	30.8.18
DA-A-115-30	4	GA Plan - Level L20	30.8.18
DA-A-115-31	4	GA Plan - Level L21	30.8.18
DA-A-115-32	4	GA Plan - Level L22	30.8.18
DA-A-115-33	4	GA Plan - Level L23	30.8.18
DA-A-115-34	4	GA Plan - Level L24	30.8.18
DA-A-115-35	4	GA Plan - Level Roof	30.8.18
DA-A-210-001	4	Elevations - South Macquarie Street	30.8.18
DA-A-210-002	4	Elevations - East Horwood Place	30.8.18
DA-A-210-003	4	Elevations - North Houison Place	30.8.18
DA-A-210-004	4	Elevations - West United Lane	30.8.18
DA-A-210-005	4	Elevations - West Church Street	30.8.18
DA-A-210-006	4	Elevations - West Church Street	30.8.18
DA-A-210-007	4	Façade Type 01 Typical Podium Façade	30.8.18
DA-A-210-008	4	Façade Type 02 Typical Tower Façade	30.8.18
DA-A-210-009	4	Façade Type 03 Typical Terrace Façade	30.8.18
DA-A-210-010	1	Façade Type 04 Houison Place Façade	30.8.18
DA-A-210-011	1	Typical Retail Signage Detail	30.8.18
DA-310-001	4	Sections - AA	30.8.18
DA-310-002	4	Sections - BB	30.8.18
DA-310-003	4	Sections - CC	30.8.18
DA-680-001	4	External Finishes Board	30.8.18
DA-980-001	4	Perspective South Eastern Aerial	30.8.18
DA-980-002	4	Perspective South Eastern	30.8.18
DA-980-003	4	Perspective North Eastern	30.8.18
DA-980-004	3	Perspective Western (Church St)	7.5.18
DA-980-005	4	Perspective South Western Street View	30.8.18

Plan No.	Issue	Plan Title	Dated
DA-980-006	4	Perspective North Eastern Street View	30.8.18
DA-980-007	4	Perspective Commercial Lobby Interior	30.8.18

The development is to be carried out in accordance with the following **landscape and public plans** prepared by Urbis, 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:

Plan No.	Issue	Plan Title	Dated
L-000	H	Cover sheet, drawing register and legend	21.5.18
L-101	G	Ground level landscape layout plan	24.8.18
L-102	G	Ground level landscape layout plan	24.8.18
L-101	E	Ground level landscape layout plan	17.5.18
L-201	E	Level 2 landscape layout plan	17.5.18
L-300	E	Level 18 landscape layout plan	17.5.18
L-400	E	Level 20 landscape layout plan	17.5.18
L-500	E	Level 22 landscape layout plan	17.5.18
L-600	F	Level 24 landscape layout plan	18.5.18
L-700	H	Planting schedule	21.5.18
N/A	A	Planter and tree pot	25.7.18
N/A	N/A	Street tree planting details	April 2017

The development is to be carried out in accordance with the following **civil and stormwater plans** prepared by Enstruct, 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:

Plan No.	Issue	Plan Title	Dated
CV-0000	04	COVER SHEET	7.8.18
CV-0100	03	GENERAL ARRANGEMENT PLAN	10.8.18
CV-0101	03	GENERAL ARRANGEMENT PLAN SHEET 1	7.8.18
CV-0102	04	GENERAL ARRANGEMENT PLAN SHEET 2	10.8.18
CV-0103	04	GENERAL ARRANGEMENT PLAN SHEET 3	10.8.18
CV-0110	03	GENERAL ARRANGEMENT PLAN UNITED LANE PUBLIC DOMAIN	7.8.18
CV-0200	04	STORMWATER MANAGEMENT PLAN	7.8.18
CV-0500	02	DRIVEWAY PLAN, SECTIONS AND DETAILS	7.8.18
CV-0600	03	UNITED LANE PUBLIC DOMAIN LONG SECTION	7.8.18
CV-0620	02	MACQUARIE STREET LONG SECTIONS	7.8.18
CV-0640	02	HORWOOD PLACE LONG SECTIONS	7.8.18
CV-0660	02	CHURCH STREET LONG SECTIONS	7.8.18
CV-0680	02	HOUISON PLACE LONG SECTIONS	7.8.18
CV-0700	03	UNITED LANE PUBLIC DOMAIN CROSS SECTIONS	7.8.18
CV-0720	04	MACQUARIE STREET CROSS SECTIONS	17.8.18

Plan No.	Issue	Plan Title	Dated
CV-0740	05	HORWOOD PLACE CROSS SECTIONS	17.8.18
CV-0760	03	CHURCH STREET CROSS SECTIONS	7.8.18
CV-0780	04	HOUISON PLACE CROSS SECTIONS	17.8.18
CV-0851	03	STORMWATER DETAILS SHEET 01	8.7.18
CV-0852	03	STORMWATER DETAILS SHEET 02	7.8.18
CV-0853	04	STORMWATER DETAILS SHEET 03	26.7.18
CV-0854	03	STORMWATER DETAILS SHEET 04	7.8.18

Note: In the event of any inconsistency between the architectural plans, landscape plans, stormwater disposal plans or photomontages, the architectural plans shall prevail to the extent of the inconsistency.

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

Building Work in Compliance with BCA

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

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

Construction Certificate

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

Reason: To ensure compliance with legislative requirements.

No Encroachment on Council and/or Adjoining Property

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

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

Demolition of Buildings

5. Approval is granted for demolition of the buildings shown on Drawing DA-102-110, revision 4. **Note that All ground floor slabs must be retained, and not removed until all requirements of the Office of Environment and Heritage are satisfied** - see conditions elsewhere in this Notice.

Demolition permitted by this condition is 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) 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.
- (p) **Within 14 days of completion of demolition, the applicant must submit to Council:**
 - (i) An asbestos clearance certificate issued by a suitably qualified person if asbestos was removed from the site; and
 - (ii) A signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of original.
 - (iii) Payment of fees in accordance with Council's current schedule of fees and charges for inspection by Parramatta Council of the demolition site prior to commencement of any demolition works and after the completion of the demolition works.

Reason: To protect the amenity of the area.

Water NSW General Terms of Approval

6. The development shall comply with the requirements of the General Terms of Approval in the Water NSW letter 2 November 2017, Ref: F2017/7031 (attached)

Reason: To comply with Water NSW requirements.

Roads and Maritime Services

7. The proposed layout of car parking areas associated with the subject development (including, driveways, grades, turn paths, sight distance requirements in relation to landscaping and/or fencing, aisle widths, aisle lengths, and parking bay dimensions) shall be in accordance with AS 2890.1-2004, AS 2890.6-2009 and AS 2890.2-2002 for heavy vehicle usage.

Reason: To comply with RMS requirements

8. Sight distances from the vehicular crossings to vehicles on Macquarie Street 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 RMS requirements

9. All vehicles are to enter and exit the site in a forward direction.
Reason: To comply with RMS requirements
10. All vehicles are to be wholly contained on site before being required to stop.
Reason: To comply with RMS requirements
11. A Construction Pedestrian Traffic Management Plan (CPTMP) detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted, after consultation and endorsement from SCO and PLR, to Council for approval prior to the issue of a Construction Certificate.
Reason: To comply with RMS requirements

Transport for NSW

12. The relocation of any TfNSW services or infrastructure is to be at the applicants cost and to TfNSW Requirements and Standards.
Reason: To comply with TFNSW requirements
13. All works/regulatory signage associated with the proposed development are to be at no cost to TfNSW/Roads and Maritime Services.
Reason: To comply with TFNSW requirements

Office of Environment and Heritage

14. Historic archaeology

No excavation or ground disturbance should occur on site until a s.140 permit has been approved by the Heritage Council of NSW or its Delegate. This application should be accompanied by an Archaeological Research Design and Excavation Methodology and be supported by a suitably qualified and historical archaeologist who satisfies the Heritage Council of NSW Excavation Director criteria.

Excavation and ground disturbance will be coordinated with Aboriginal archaeology and the *National Parks and Wildlife Act 1974* approval process, where this potential is identified as likely.

Copies of relevant approvals from the Office of Environment and Heritage must be provided to the City of Parramatta, and the Principal Certifying authority, **prior to the commencement** of any ground disturbance at the site.

Reason: *To ensure the development is in accordance with the Heritage Act 1977 and its requirements to manage these potential archaeological resources at this site.*

Aboriginal archaeology

15. Potential Aboriginal archaeology and 'objects' at the site must be managed in accordance with the National Parks and Wildlife Act 1974. In this regard an AHIP for excavation is required because it has been identified that contact archaeology may be present at the subject site. Dependent on the results of the test excavation, a subsequent AHIP for harm may be necessary.

Copies of relevant approvals from the Office of Environment and Heritage must be provided to the City of Parramatta, and the Principal Certifying authority, **prior to the commencement** of any ground disturbance at the site.

Reason: To comply with legislation

Endeavour Energy

16. Asset Decommissioning / Relocation

The decommissioning or relocation of any existing electricity infrastructure on the site will be dealt with as part of Endeavour Energy's application for connection of load. Endeavour Energy's Network Connections Branch will make the developer / designer aware of Endeavour Energy's requirements for the decommissioning or relocation of the existing electricity infrastructure on the site. However the certification of the design does not constitute an agreement to the relocation or decommissioning of the existing electricity infrastructure on the site and no works should be undertaken to decommission the existing infrastructure until all the required matters have been resolved and approved by Endeavour Energy. This is particularly important given the electricity infrastructure is also related to the supply to other customers and appropriate arrangements need to be made for continuity of electricity supply to all the sites before the existing electricity infrastructure can be decommissioned.

Reason: To comply with TFNSW requirements

17. Easement Management / Network Access

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

Reason: To comply with TFNSW requirements

Public Utility Relocation

18. The developer shall be responsible for all public utility adjustment/relocation works, necessitated by the above work, and as required by the various public utility authorities and/or their agents.

Reason: To ensure the applicant bears all reasonable costs for the development.

Design Excellence Preservation

19. In order to ensure the design excellence quality of the development is retained:

- (a) The architectural design team, Crone Architects, 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 authorized 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 any Construction Certificate.
- (d) Council's Design Competition Panel (Design Excellence 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 to ensure the scheme remains substantially the same as the award winning scheme **prior to the issue of any relevant Construction Certificate and any Occupation Certificate.**
- (e) The design architect 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 matters have been complied with prior to the issue of a relevant Construction Certificate, in accordance with written confirmation from City of Parramatta Council.

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

Hazardous/Intractable Waste Disposed Legislation

- 20. 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.

Site Investigation & Site Audit Statement

- 21. Following demolition activities, the soil must be tested by a person with suitable expertise, to ensure the soil contaminant levels are below acceptable health criteria for residential areas. The soil investigation shall be carried out in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites and the NSW Department of Environment and Conservation Guidelines for the Assessment and Management of Groundwater Contamination 2007.

A site audit statement shall be issued at the completion of the investigation by an approved NSW Environment Protection Authority Auditor in accordance with the NSW Environment Protection Authority's Guidelines for the NSW Site Auditor Scheme.

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

Site Audit Statement

22. The applicant is to engage an NSW EPA accredited site auditor to undertake an independent assessment of the site investigation (remediation) or (validation) report to address the requirements of section 47(1) (b) of the Contaminated Land Management Act 1997. A site audit statement is to be submitted to Council and the principal certifying authority on the completion of remediation works

Reason: To ensure the contamination assessment report has adhered to appropriate standards, procedures and guidelines.

Management of flood impacts

23. Floor levels

Due to flooding impacts, all relevant Construction Certificate plans must maintain the finished floor levels shown on architectural drawing DA-103-110 REV 4 dated 30 08 2018, by Crone Architects.

Reason: To manage flood impacts and comply with legislation.

24. Flood emergency response plan

A flood emergency response plan must be prepared for the site to address large scale evacuation, emergency access and shelter in place strategies where emergency access and egress are impossible.

As overland flow flooding in Macquarie and Church Streets may occur rapidly, evacuation off-site may not be practical. In this case shelter in place facilities must be provided above the PMF flood level which is RL 12.3m AHD. Such equipment that may be required to be stored in these spaces would be emergency food and water supplies, uninterrupted power supply, potable water supply, toilets, defibrillators and other medical supplies etc.

The design of this facility must address how a fire will be fought if it coincided with a significant flood event including PMF.

The emergency response strategy for this development must also consider management of members of the public using the public domain within Parramatta Square and its surrounds. The shelter in place facilities within this development must therefore be designed to have capacity for members of the public using the public domain in the vicinity of the building.

A flood emergency response plan is to be submitted to Council's Team Leader Technical Specialists for approval prior to release any Construction Certificate, excluding any Construction Certificate in relation to early works or bulk excavation.

PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE

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

Transport for NSW

25. Information required from the applicant

The applicant shall provide the following written information to TfNSW prior to any works commencing or the issue of the relevant Construction Certificate:

- Final geo-technical and structural report / drawings;
- Final construction methodology with construction details pertaining to structural support during excavation or ground penetration;
- Final cross sectional drawings showing ground surface, rail tracks, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the Rail Corridor. All measurements are to be verified by a Registered Surveyor;
- Details of the vibration and movement monitoring system that will be in place before excavation commences;
- Detailed survey plan;
- Acoustic assessment;
- Electrolysis report;
- Details of balconies/window openings;
- Assessment on use of lights, signs and reflective materials which are visible from the light rail corridor;
- Details of insurance; and
- Consultation regime.

The Principal Certifying Authority (PCA) shall not issue the relevant Construction Certificate until written confirmation has been received from TfNSW confirming that this condition has been satisfied.

26. Acoustic Assessment.

The final acoustic assessment is to be submitted to the PCA prior to the issue of the relevant Construction Certificate demonstrating how the proposed development, if applicable, will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines". All recommendations of the acoustic assessment are to be incorporated in the construction documentation.

27. Electrolysis Assessment

Prior to any works commencing, or the issue of any 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 PCA with the application for the relevant Construction Certificate

28. Lighting

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 TfNSW. The PCA shall not issue the relevant Construction Certificate until written confirmation has been received from TfNSW confirming that this condition has been satisfied.

29. Insurance

Prior to the issue of any Construction Certificates or any works commencing, the applicant must hold current public liability insurance cover for a sum to be determined by TfNSW. This insurance shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The applicant is to contact TfNSW to obtain the level of insurance required for this particular proposal. Prior to issuing any Construction Certificate the PCA must witness written proof of this insurance in conjunction with TfNSW's written advice to the applicant on the level of insurance required.

30. Interference with Light Rail operation.

Prior to any works commencing or any Construction Certificate being issued, the applicant shall enter into an Agreement(s) with TfNSW and the light rail operator. The Agreement(s) shall include, but not limited to:

- Pre and post construction dilapidation reports;
- TfNSW costs associated with review of plans and designs;
- The need for track possessions;
- Review of the machinery to be used during excavation/ground penetration / construction works;
- The need for track monitoring;
- Design and installation of lights, signs and reflective material;
- Access by representatives of TfNSW to the site of the approved development and all structures on that site;
- Endorsement of Risk Assessment/Management Plan and Safe Work Method Statements (SWMS);
- Endorsement of plans regarding proposed craneage and other aerial operations;
- Erection of scaffolding/hoarding;
- Light Rail Operator's rules and procedures; and
- Alteration of rail assets such as the OHW along of track and associated hoarding demarcation system, if undertaken by the applicant.

The PCA is not to issue any Construction Certificate until written confirmation from TfNSW has been received confirming that this condition has been complied with.

31. Consultation Regime

Prior to any excavation or the issue of any Construction Certificate, a detailed regime is to be prepared for consultation with and approval by, TfNSW for the excavation of the site and the construction of the building foundations (including ground anchors) for the approved development, which may include geotechnical and structural certification in the form required by TfNSW.

32. Protection of TfNSW Infrastructure

Prior to the issuing of any Construction Certificate, the applicant is to liaise with TfNSW to ascertain its requirements in relation to the protection of TfNSW's infrastructure. The applicant is to submit to TfNSW all relevant documentation as requested by TfNSW and obtain TfNSW's written endorsement.

Design amendments

33. Prior to the issue of any Construction Certificate, amended plans for the shopfront to retail 01 must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager.

The revised plans must adjust the design/location of the shopfront of that tenancy to ensure that vehicles using United Lane have adequate sight lines of pedestrians using Macquarie Street, sufficient to satisfy Figure 3.3 of AS 2890.1.

The revised plan shall be accompanied by an updated version of the relevant montage montage (Drawing DA-A-980-005, Rev 4).

The plans approved to satisfy this condition will supersede the relevant drawings noted in condition 1 above.

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

Levies, fees, charges and bonds

34. Voluntary Planning Agreement

The Voluntary Planning Agreement endorsed by Council at its meeting on 8 October 2018 is to be executed and lodged with the Department of Planning and Environment prior to the issue of any Construction Certificate.

35. Long Service Levy

A 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.

36. Section 7.12 Contributions

A monetary contribution comprising \$6,745,479.48 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 any 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.

37. Environmental Enforcement Service Charge

An Environmental Enforcement Service Charge must be paid to Council prior to the issue of any 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.

38. Information and Restoration Administration Fee

An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of any 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.

39. Security Bonds

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/1066/2016;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

Bond Type
Hoarding - <i>see conditions elsewhere in this Notice</i>
Street Furniture (<i>see Schedule of Fees and Charges, \$2,000 per item in current financial year</i>)
Street Trees (<i>see Schedule of Fees and Charges, \$2,000 per tree in current financial year</i>)
Development Site (<i>see Schedule of Fees and Charges, \$25,000 in current financial year</i>)

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.

Specialist Reports

40. Prior to the issue of the relevant Construction Certificate the Principal Certifying Authority shall be satisfied that all works/methods/procedures/control measures/recommendations in the following specialist reports have been implemented (except as amended by conditions elsewhere in this Notice):

(a) Acoustic report by Wood and Grieve, dated 9th September 2017. [Project No. 32723 Revision 01]

(b) Access review by Morris Goding Accessibility Consulting, dated August 2017.

Reason: To demonstrate compliance with submitted reports.

No External Service Ducts

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

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

Location of Plant

42. Prior to the issue of the relevant Construction Certificate, the Certifying Authority must be satisfied that all plant and equipment (including but not limited to air condition equipment) is located within the basement or screened on the roof, or otherwise located as shown on the approved plans.

Reason: To minimise impact on surrounding properties, improved visual appearance and amenity for locality.

End of trip facilities

43. End of trip facilities including showers must be provided within the development in accordance with approved plans and made accessible without charge to cyclists who work in the building. Details must be provided with the plans and specifications accompanying the application for a Construction Certificate.

Reason: To promote and provide facilities for alternative forms of transport.

Location of Mains Services

44. To reduce the extent of overhead cabling, all service mains required to facilitate the development must be underground, both within the allotment boundaries and the public way. Details must be provided with the plans and documentation accompanying the relevant Construction Certificate application to the satisfaction of the Certifying Authority.

Reason: To provide infrastructure that facilitates the future improvement of the streetscape.

External Walls and Cladding Flammability

45. The external walls of the building including attachments must comply with the relevant requirements of the National Construction Code (NCC). Prior to the issue of the relevant Construction Certificate and Occupation Certificate the Certifying Authority and Principal Certifying Authority must:

- (a) Be satisfied that suitable evidence is provided to demonstrate that the products and systems proposed for use or used in the construction of external walls including finishes and claddings such as synthetic or aluminium composite panels comply with the relevant requirements of the NCC; and
- (b) Ensure that the documentation relied upon in the approval processes include an appropriate level of detail to demonstrate compliance with the NCC as proposed and as built.

Reason: To ensure building materials are sufficiently non-combustible.

Public Art

46. A Detailed Public Art Plan prepared by a suitably experienced public art consultant, and developed in accordance with the City of Parramatta's 'Interim Public Art Guidelines for Developers', must be submitted to and approved by Council's Service Manager of City Animation, prior to the issue of the relevant Construction Certificate.

That Plan must:

- Provide details of site history, and an analysis of the site and its relation to the surrounding sites;
- Detail concept development of the public art strategy, including concept drawings (scale, context, materials and finishes);
- Provide detailed plans/images of the final art works to be installed;
- Nominate the location of the artworks on the site, including how they will interact with, or be available to the public;
- Detail how the art works will provide engagement by day and by night;
- Provide a timeline staging of the artwork;
- Provide details of fabrication and installation;
- Include a maintenance schedule;
- Confirm the project budget – which must be 0.5% of the cost of the development

Reason: To achieve public art that is consistent with Council's guidelines.

Façade Samples

47. Prior to the issue of the relevant Construction Certificate, the following detail must be submitted to, and approved by, Council's City Architect, Design Excellence Jury and Environmentally Sustainable Development consultant:

- A 1:1 manufactured visual mock-up (VMU) of key junctions of the external glazed facade (minimum 3m x 3m dimensions)

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

Detailed Drawings

48. Prior to the release of the relevant construction certificate the applicant shall submit for the approval of the 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 excellence quality of the development is retained.

Substation

49. Prior to the issue of any Construction Certificate, the applicant shall provide to the Principal Certifying Authority approval from the relevant energy provider for the location of the substation as shown on the plans at condition 1.

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

Engineering

50. Stormwater design

The final, detailed stormwater design for the water management and drainage within the site must be submitted to Council's Team Leader Technical Specialists (DTSU) for approval prior to the issue of the relevant Construction Certificate.

This design must be generally in agreement with the Council's DCP 2011, the approved DA plans, the approved Civil and Stormwater Plans by Enstruct REV 4 -7 08 18 and Rev 3 – 10 08 18 et al received 3 09 18, the approved Landscape Design by Urbis REV E / ISSUE H 31 08 2018 and the approved Stormwater Management Plan by enstruct Revision D August 2017, and must address the following:

- a) The proposed stormwater management system must optimise harvesting and use of rainwater as a resource, manage the rate and timing of stormwater discharges from the site into the public drainage system to minimise adverse consequences below the site, and ensure adequate discharge stormwater quality by treating stormwater and reducing pollutant loads.
- b) Wind driven rain - The stormwater system must accommodate the effects of wind driven rain on the sides of the building. This must be demonstrated to Council's satisfaction as a part of the stormwater management system design.
- c) OSD details - On site stormwater detention tanks that service the buildings must be located on private property within the development sites and are not to be placed in the public domain or road reserves. These tanks must be placed at sufficient height within the buildings to ensure there is an adequate gravitational fall to the public drainage system in Macquarie Street.
- d) On Site Detention must be provided generally in accordance with The Upper Parramatta River Catchment Trust OSD Handbook Edition 3 or 4.
- e) Each of the OSD tanks, WSUD, Rainwater and other associated tanks must have a minimum of two access hatches min 900 mm x 900mm to facilitate access and ventilation of these confined spaces.
- f) Final, detailed design calculations and cross-sectional diagrams for each OSD tank must be submitted to Council's DTSU department for approval prior to the release of a Construction certificate.
- g) WSUD details - The detailed stormwater design is required to be submitted to show the detailed location of all WSUD measures, with appropriate levels, typical sections and drainage connections to the OSD system.
- h) The stormwater management system must be altered to include landscape-integrated (bioretention) treatment measures, in the form of passive watering of landscape elements on balcony and roof gardens and green roof/wall installations. The details of these systems must be shown on the final stormwater plans submitted to Council for approval prior to the release of a Construction certificate.
- i) The WSUD system must be designed to accept a 1 in 6 month flow rate. Such low flows are not to be directed into the OSD system. Higher flows (greater than 1 in 6 months) shall bypass the WSUD treatment system and be directed straight to the OSD system. Stormwater quality treatment standards shall be as set out in Council's DCP 2011 and shall be modelled using MUSIC software (or equivalent), to Council's reasonable satisfaction, prior to release of the construction certificate.
- j) Details must be submitted showing how Water Sensitive Urban Design measures described in the 'Landscape Design Response' document by Urbis (p10) have

been incorporated into the landscape design to achieve a sustainable water cycle, including that:

- i. where possible storm water runoff will be directed to the lawn and garden beds.
- ii. all soft landscape zones on structure will be detailed to have subsurface drainage.
- iii. irrigation will be provided to all soft landscape areas
- iv. irrigation of roof gardens will collect the surface water runoff from all roof areas to irrigate lower level terrace gardens.
- v. all irrigation systems will comprise of subsurface drip systems and automatic timers with rainwater / soil moisture sensor controls;
- vi. Low water demand shrub planting is proposed.

51. Flood proofing of basement

Details of the following are to be submitted to Council's Team Leader Technical Specialists for approval prior to release of the relevant Construction Certificate for the construction of any basement element. The required PMF level is RL 12.3m AHD.:

- a) Passive (non-mechanical) overland flow flood protection must be provided up to the Flood Planning Level PL (11.05m AHD) to all basement car park entries and openings from ground floor level (driveways, stairwells, lifts, service cores etc and any other vertical openings) by provision of crests and continuous bunding. This must be done passively by the structural form itself.
- b) All vehicular and pedestrian entry points and any other penetrations to the basement level, including fire stairs that exit the building below the PMF level, are to be protected with passive, automatic, fail-safe systems (such as increased crest levels or self-actuated flood gates propelled by flotation or flood doors to exclude all floodwaters up to the PMF (12.3m AHD).
- c) 'Shelter in place' facilities are required on floors above the PMF (RL 12.3m AHD) to provide safe refuge and shelter from severe floods and storms above the PMF level within the building for occupants and people in the vicinity. An area must be designated for this purpose and suitable facilities, including water supply, sanitation, first aid, food storage etc must be provided.
- d) An escape path/stairway floodproofed up to the PMF (RL 12.3m AHD) must be provided within the building from the basement levels to the safe refuge area/s (shelter in place) above the PMF level. Any external doors that access this path or staircase must be fitted with self closing flood doors to exclude floodwaters from the staircase.
- e) The fire and flood stairs may be shared provided the above requirements are met.
- f) Stairways and lifts within the building that connect the basement levels to the ground and higher areas and fire escape stairs must be protected from inundation by approved self-operating flood barriers (such as 'Flood Break' or equivalent) or flood doors up to the PMF level, to prevent water from entering the basement levels. The operation and maintenance of these systems must be addressed in the Flood Emergency Response Plan.
- g) Design details must be submitted to show adequate ventilation of the basement carparks in floods up to the PMF event. For example, the inlet/outlet vents of

ventilation shafts are to be located well above the PMF level. To increase opportunities for evacuation of disabled and frail people, accessible car parking spaces are to be located as high as possible in the basement car parks.

- h) To increase opportunities for evacuation of disabled and frail people, accessible car parking spaces are to be located as high as possible in the basement car parks.

52. De-watering of excavation sites

Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property.

For water accumulated within an excavation to be approved for drainage into Council Stormwater systems, the following discharge water quality standards must be met at all times throughout the construction phase of the development:

- i) pH 6.5-8.5;
- ii) Total Suspended Solids (TSS) 50 mg/l;
- iii) Oil and Grease 'Not visible'.
- iv) If site identified as containing contaminated or acid-sulphate soils, all trace contaminants must be removed from the groundwater prior to disposal.

This may be achieved through the use of a 'WETSEP' system or equal, to hold and treat water prior to discharge.

Prior to release of the Construction Certificate the Applicant must provide to the Principal Certifying Authority for approval full details of the construction phase stormwater and groundwater collection and discharge pollution control and quality management system, including full plant and equipment details, an operational and monitoring plan and evidence of ability to achieve the required performance.

Reason: to protect against subsidence, erosion and water pollution during excavation.

Retaining Walls

- 53. 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 the relevant Construction Certificate for assessment and approval by the certifying authority.

Reason: To minimise impact on adjoining properties.

Basement carpark and subsurface drainage

54. The basement stormwater pump-out system, must be designed and constructed to include the following:
- (a) A holding tank capable of storing the run-off from a 100 year ARI (average reoccurrence interval) - 2 hour duration storm event, allowing for pump failure.
 - (b) A two pump system (on an alternate basis) capable of emptying the holding tank at a rate equal to the lower of:
 - (i) The permissible site discharge (PSD) rate; or
 - (ii) The rate of inflow for the one hour, 5 year ARI storm event.
 - (c) An alarm system comprising of basement pump-out failure warning sign together with a flashing strobe light and siren installed at a clearly visible location at the entrance to the basement in case of pump failure.
 - (d) A 100 mm freeboard to all parking spaces.
 - (e) Submission of full hydraulic details and pump manufacturers specifications.
 - (f) Pump out system to be connected to a stilling pit and gravity line before discharge to the street gutter.

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

Reason: To ensure satisfactory storm water disposal.

Design to withstand flooding

55. 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.

On Site Detention

56. 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.
- 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. the approved Civil and Stormwater Plans by Enstruct REV 4 -7 08 18 and Rev 3 – 10 08 18 et al received 3 09 18,

- ii. the approved Landscape Design by Urbis REV E / ISSUE H 31 08 2018
- iii. the approved Stormwater Management Plan by enstruct Revision D August 2017,

- b) A Site Storage Requirement of 470m³/ha and a Permissible Site Discharge of 80 L/s/ha (as per 3rd edition of UPRCT's handbook).
- c) When using the Extended/Flood detention method (4th edition of UPRCT's handbook), the Site Reference Discharge (Lower Storage), SRDL of 40 l/s/ha, Site Storage Requirement (Lower Storage) SSRL of 300 m³/ha and Site Reference Discharge (Upper Storage), SRDU of 150 l/s/ha, Site Storage Requirement (Total) SSRT of 455 m³/ha as per the submitted OSD calculation.
- d) 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.
- e) Certificate from registered structural engineer certifying the structural adequacy of the OSD tank structure.

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

Water treatment for stormwater

- 57. Stormwater quality treatment devices must be installed to manage surface runoff water to Macquarie Street and Church Street to satisfy section 3.3.6.1 of Parramatta City Council Development Control Plan 2011. Details of the proposed devices and their location 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.

Shoring for adjoining Council property

- 58. 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.

Support for Council Roads, footpath, drainage reserves

- 59. 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

60. Construction of a heavy duty vehicular crossing

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.

Sydney Water

61. 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.

Dial Before You Dig Service

62. 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.

Exhaust Fumes

63. All mechanical exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining site, and in accordance with the provisions of AS1668.1 - 1998 – 'The use of ventilation and air conditioning in buildings' – 'Fire and smoke control in multi-compartmented buildings'. Details showing compliance are to accompany the relevant application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

Impact on Existing Utility Installations

64. Where work is likely to disturb or impact upon an existing utility installation, (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 the relevant 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.

Waste Storage Rooms

65. Storage rooms for waste and recyclables are to be provided within the development as indicated on the approved plans, and shall be constructed to comply with the following provisions:

- i) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;
- ii) 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;
- iii) The walls being cement rendered to a smooth, even surface and coved at all intersections;
- iv) 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.
- v) The room shall be adequately ventilated (either natural or mechanical) in accordance with the Building Code of Australia.

Details shall be indicated on the plans submitted with the relevant Construction Certificate application that demonstrate compliance with these requirements to the satisfaction of the Principal Certifying Authority.

Reason: To ensure provision of adequate waste storage arrangements.

Acid-Sulphate Soils Management

66. An acid-sulphate soils management strategy (prepared by a suitably qualified and experienced environmental/geotechnical consultant) must be submitted to the Principal Certifying Authority, prior to the issue of the relevant Construction Certificate. This strategy is required to recommend specific procedures and mitigation measures and must include a site analysis from a National Association of Testing Authorities (NATA) registered laboratory.

This strategy must address the following aspects:

- (a) Specific mitigating measures to minimise the disturbance of acid sulphate soils as well as measures relating to acid generation and acid neutralisation of the soil;
- (b) Management and disposal of the excavated material;
- (c) Measures taken to neutralise the acidity; and
- (d) Run-off control measures.
- (e) The recommendations of the strategy must be completed prior to the commencement of building works.

Works shall be undertaken in accordance with plan approved to satisfy this condition.

Reason: To protect the development from the harmful effects of acid-sulphate soils.

Outdoor Lighting

67. All outdoor lighting and lighting of publicly accessible spaces must comply with the relevant provisions of AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting, and with AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting, and designed so as not to cause nuisance to other residences in the area or to motorists on nearby roads, and to ensure no adverse impact on the amenity of the surrounding area by light overspill.

A detailed lighting plan demonstrating compliance with these requirements be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

Reason: To protect the amenity of the surrounding neighbourhood from the emission of light and to provide high quality external lighting for security without adverse effects on public amenity from excessive illumination levels.

Public Domain Construction Drawings – approval by council

68. Notwithstanding the approved drawings, 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 **Final 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 be 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, including any lanes
- Prior to submission of these plans, the applicant **must** consult with Transport for NSW regarding the Parramatta Light Rail project, particularly with regard to:
 - Rail alignment and any setbacks that would influence location of street elements ie furniture, street trees, street lights etc in the public domain

The submission to council **must** include written confirmation from TfNSW that it has no objection to the proposed public domain works.

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

- The latest Parramatta Public Domain Guidelines (PDG), in particular all requirements in Chapter 2 Public Domain Works Approval Process, 2.4 Construction Certificate (CC) Submission
- The approved submitted *Civil and Stormwater Plans* (Alignment Drawings),
- The approved submitted *Landscape Plans* (Public Domain Drawings), and
- All the conditions listed in this consent.

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

Matters to be addressed by Final Public Domain Construction Drawings

69. The Final Public Domain Construction Drawings must be prepared by a qualified landscape architect and civil engineer in accordance the Public Domain Guidelines Chapter 2 – Public Domain Works Approval Process. The consultants shall contact council's Urban Design team before finalising the documentation for the latest design standards and material specification. The final plans to be approved by Council must address the following matters:

Footway Specification

Grading of the Pedestrian Footway and Lane

Footway longitudinal and cross-fall grades to be as per Chapter 2, Development Application (DA) Submission, of the Parramatta Public Domain Guidelines, including but not limited to:

- Updated Alignment Drawings (Civil and Stormwater Plans), as per Chapter 2 of the PDG, that address above comments. In this regard all footways shall achieve a min 1 – max 2.5% from any point along the boundary perpendicular to the existing or new top of kerb. All levels must be to Australian Height Datum (AHD).
- Building/development floor levels set to allow achievement of recommended footpath cross falls and a smooth transition between public and private land.
- Change of level treatments (steps, ramps) within the property line to meet footpath level design at all site entries as required. Localised adjustment of footpath levels to facilitate building entries or pedestrian or vehicular access requirements must occur within the building, not on the public way. Localised adjustment of longitudinal grades to suit building/development entries not permissible in the public domain.
- Proposed finished levels (contours and spot heights to AHD) for all elements in the public domain including kerbs and walls (top and bottom levels), adjusted existing and new service and pit lids and indicative location of services.
- Where existing footpath levels and gradients do not comply with city standards, footpath reconstruction will be required. Small variations to the standards due to latent site conditions may be accepted, subject to consideration by the Civil Assets Manager.
- Final footway grading as per the updated Alignment Drawings to be assessed and approved by Supervisor Civil Assets prior to CC approval.

Pavement

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

For unit paving, the footpath paving set out and details must comply with Council's design standard (DS40, sheet 1-3).

And

The standard 'City Centre Paving' **Adelaide Black granite pavers, 600x300x50mm, 400x300x50mm with exfoliated finish**, as per the PDG, shall be applied to the entire public domain areas in **Church 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 must comply with Council's design standard (DS45).

And

The standard 'City Centre Paving' **Shared Zone Adelaide Black granite setts, 90x90x50mm with natural split/exfoliated finish**, as per the PDG, shall be applied to the entire public domain areas in **Union Lane** 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 must comply with Council's design standard (detail to be agreed by Service Manager DTSU).

Kerb Ramps

Kerb ramps in **Macquarie Street, Horwood Place and Housin Place** 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 in is to be provided at new (**Housion Place**) and reinstated (**Macquarie Street**, if required as advised by Supervisor Civil Assets) vehicle crossings. Refer Council's design standard (DS40 sheet 1-3), using **Pebblecrete, product PPX:544:35D, 150x150x60mm, honed finish for vehicle crossing**.

Tactile Indicators (TGSi)

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 approved Public Domain Construction 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 on public land 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 solutions to suit the project are to be proposed by the applicant for consideration and inclusion in the Public Domain Construction 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 surfaces** that comply with a V5 rating (according to AS4586:2013) 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

Public bike racks shall be supplied and equally distributed (clusters of max 4-off racks) to the furniture zone of all street as per Council's Public Domain Guidelines. Location outside of this zone to be agreed by Service Manager DTSU prior to issue of Construction Certificate.

Cycle racks are to be located so that bicycles do not encroach onto the clear way and 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 at the top and base of steps.
- The first riser at least 900mm from the property boundary
- Opaque risers
- Compliant contrast nosing for full stair width
- Non-slip surfaces in wet and dry conditions

Handrails

Handrails must comply as follows:

- Handrails installed on each side of the stair (or centrally).
- Landing area designed to sufficiently accommodate the required TGSI and handrail projection, which must be outside pedestrian path of travel and circulation spaces.
- Design of handrail according to AS1428.1:2009.

- Diameter of handrail 30-50mm.
- Clearance behind the handrail 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 to achieve ramps which do not require handrails (ie ramps be flatter than 1:20).

Multi-media conduit

A conduit for Council's multi-media facilities shall be installed to the full length of the street frontages. The conduit must be positioned and installed in accordance with Council's design standard drawing and specifications, see Community Crime Prevention Officer.

Street Tree Specifications

For the approved landscape drawings listed above, required street tree species, quantities and supply stocks are:

Street Name	Botanical Name	Common name	Pot Size	Qty	Average Spacing
Church St	<i>Koelreuteria bipinnata</i>	Chinese Golden Rain Tree	400lt	As shown on the approved drawings or as agreed by Council's DTSU Manager	
Macquarie St	<i>Platinus orientalis 'Digitata'</i>	Cut Leaf Plane Tree	400lt		
Horwood Pl	<i>To be advised by Council</i>		400lt		
Housin Pl	<i>To be advised by Council</i>		400lt		

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 (at 300mm)	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

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 (**Macquarie St: CoP_Street tree planting in StrataVault with 1500x1500mm Grate** and, **Horwood Place and Housion Place: CoP_Street tree planting in StrataVault with Planting**) 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 and to maximise 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.

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

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

Reason: To ensure high quality street trees are provided.

ESD Initiatives

70. 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 (v1.2 or later) 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, with the dual reticulation system being of sufficient size to supply all non-potable water uses of the building and suitable for future connection to a recycled water main.
 - c) Rainwater collection of minimum 50kL tank size is to be installed and to provide landscape irrigation, WCS and cooling towers with reuse water.
 - d) LED lighting must be provided throughout the building.
 - e) All lifts must be gearless with regenerative drives. Passenger lifts to have destination control.
 - f) The carpark levels are to be naturally ventilated to the fullest extent possible under the NCC BCA.
 - g) External solar reflectivity of all glazing is not to exceed 19% and glazing for the tower is otherwise meets the specification shown on drawing DA-A-680-01, revision 4, at condition 1.

- h) The building will be designed and constructed to operate at a minimum NABERS Energy rating of 5.5 stars (base building) without accounting for any Green Power used in the building as per the NABERS Commitment Agreement be entered into with NSW Office of Environment and Heritage
- i) The building will be designed and constructed to operate at a minimum NABERS water rating of 4 stars and include those initiatives described in the NABERS preliminary water assessment appended to the ESD DA Report dated 1 June 2018.

Reason: To ensure sustainable development outcomes are achieved.

Reflectivity of external finishes

71. External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The reflectivity index of roof finishes is to be no greater than 20%, and external glazing is to be in accordance with approved glazing specification [Drawing DA-A-680-001 Rev 4] so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the construction certificate to the satisfaction of the Certifying Authority.

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

Car, motorcycle and bicycle parking

72. Parking spaces and internal access ways 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.

The PCA shall ascertain that any new element in the basement carpark not illustrated on the approved plans such as columns, garage doors, fire safety measures and the like do not compromise appropriate manoeuvring and that compliance is maintained with AS 2890.1, AS2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the construction certificate application

Reason: To ensure appropriate vehicular manoeuvring is provided.

73. The bicycle storage areas must be capable of accommodating a minimum of 220 bicycles within fixed bicycle rails. The bicycle storage areas and bicycle rails must be designed to meet the requirements of AS 2890.3 – 2015. Details of compliance with this standard are to accompany the relevant Construction Certificate application to the satisfaction of the Certifying Authority.

Reason: To comply with Council's parking requirements

74. Documentation to the satisfaction of the PCA is to be provided to show that motorcycles can manoeuvre into the motorcycle parking spaces at the rear of the lifts.

Reason: To ensure access.

Driveway Grades

75. 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 relevant application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

Accessibility

76. 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 and the National Construction Code 2013. Detailed plans, documentation and specification must accompany the application for a Construction Certificate 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.

77. 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 the BCA, AS2890.6: 'Parking facilities', 'Off-street parking for people with disabilities', 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 of compliance are to accompany the relevant Construction Certificate application 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.

Planter box details

78. Plans and documents must include the following with an application for the relevant Construction Certificate:

- (a) Construction details are to be provided by a suitably qualified structural engineer showing substrate depth, drainage, waterproofing for all planting on structures, including planting over on-site detention tanks, raised planters and rooftop gardens. All raised planting boxes/beds containing trees must be retained to a minimum height of 800mm.
- (b) Soil volume, soil depth and soil area must meet the prescribed standards in "Apartment Design Guide – tools for improving the design of residential apartment development" (NSW Department of Planning and Environment, 2015). Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and any soil mounding must not exceed a maximum 1:8 grade which must be demonstrated on amended plans and certified by a suitably qualified Landscape Architect/Designer.
- (c) A specification ('Fit-for-purpose' performance description) for soil type and a maintenance schedule specified by a suitably qualified Soil Scientist, to ensure sufficient nutrient and water availability is achieved.

Reason: To ensure the creation of functional gardens.

PRIOR TO WORK COMMENCING

Appointment of PCA

79. 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.

Public liability Insurance

80. 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 are 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.

Existing Damage to Public Infrastructure

81. Prior to commencement of any works, including demolition and excavation, the applicant is to submit to the Council of documentary evidence including photographic evidence of any existing damage to Council's property. Council's property includes footpaths, kerbs, gutters, drainage pits, pipes etc. A dilapidation survey of Council's assets, including photographs and written record, must be prepared by a suitably qualified person and submitted to Council prior to the commencement of works. Failure to identify any damage to Council's assets will render the applicant liable for the costs associated with any necessary repairs

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

Dilapidation Survey & Report for Private Properties

82. 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.

Enclosure of the Site

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

Reason: To ensure public safety.

Site Sign

84. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98A(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.

Reason: Statutory requirement.

Hoardings and tower cranes

85. No hoardings and/or tower cranes shall be erected until a separate approval has been granted by council in accordance with its Hoarding and Tower Crane Policy, and all relevant fee paid in accordance with the adopted fees and charges.

No demolition or works can commence until approval for the hoarding has been obtained.

Reason: To improve the visual impact of the hoarding structure and to provide safety adjacent to work sites.

Toilet Facilities On Site

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

Reason: To ensure adequate toilet facilities are provided.

Footings and Walls Near Boundaries

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

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

88. Prior to the commencement of any works in the Public Domain or on any asset that will be handed over to Council to maintain the consent holder must arrange for a schedule of inspections to be carried out by council's Civil Infrastructure Unit.

All defects raised by Council's officer during the construction period or defects liability period need to be rectified prior to and signed off at the final defects inspection by Council's officer in order to achieve Occupation Certification. This applies to both Council and privately certified projects.

Inspections for all public domain and/or stormwater works must be booked **at least 24 hours** in advance by calling Council's Civil Infrastructure Unit on 9806 8250.

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

Construction Environmental Management System and Plan

89. A Construction Environmental Management System and Plan (CEMP) shall be submitted to, and approved by, Council's Manager DTSU prior to work.

The CEMP must be prepared in accordance with ISO14001:2015 and the Department of Infrastructure, Planning and Natural Resources (2004) '*Guidelines for the*

Preparation of Environmental Management Plans' and submitted to the relevant authorities at least 4 weeks prior to the commencement of construction.

This plan should cover demolition, soil and water management and site maintenance and any associated groundwater, flooding and overland stormwater flow management. It must address any possible pollution risks, and how they will be managed. It must incorporate updated erosion and sediment control plans/ stormwater plan showing how rainwater and groundwater captured within the site will be treated to satisfactory water quality standards, monitored and discharged. The plan and management system must be implemented throughout the work.

Reason: Environment protection.

Construction Phase Soil and Water Management Plan

90. Prior to the commencement of construction, a construction phase soil and water management plan must be prepared to the satisfaction of the Principal Certifying Authority. This plan must address, but is not limited to, the applicants proposed management strategies for the following issues:

a) Flood proofing

During construction of the basement, the full site must be flood-proofed to prevent ingress of floodwaters for at least the 1% AEP overland event plus 500mm freeboard. This is to be done by provision of continuous perimeter bunding to a level of R.L. 10.9m AHD minimum, including crests on temporary access ways and stormwater lines. Construction of the bunding and access way crests is to be sufficiently durable so as to withstand the forces of floodwaters and construction activity.

b) Stormwater management

All stormwater incident on the construction site must be collected and appropriately disposed of in a manner that does not increase the flood risk for the catchment area or degrade the quality of water being disposed of to Council stormwater infrastructure.

c) Construction material pollution protection

During construction, any stockpiled materials and/or construction waste stored onsite is to be isolated from stormwater flow to Council stormwater systems and natural waterways, in order that it not become a pollutant. This is to be achieved with provision of continuous perimeter bunding around waste storage areas, constructed to be of sufficient height and durability to withstand site-specific stormwater conditions and construction activity for the life-cycle of the construction project.

d) Erosion and sediment control measures

Erosion and sediment control devices are to be installed prior to the commencement of any demolition, excavation or construction works upon the site. These devices are to include, but not be limited to:

- i) Vehicle Wheel wash, cattle grid, wheel shaker or other appropriate device to remove sediment from vehicle wheels.

- ii) A sediment trapping fence, made of a geotechnical textile specifically designed for such a purpose and installed and maintained to manufacturer's specifications, placed below the disturbed area of the construction site along contours.
- iii) Vegetation is to be maintained on the development site as much as possible, and shall not be cleared from neighboring sites.
- iv) Vehicle access shall be restricted to one designated point, and vehicle driveways are to be adequately covered at all times with blue metal or the like.

All devices are to be maintained throughout the entire demolition, excavation and construction phases of the development and for a minimum three (3) month period after the completion of the project, where necessary.

e) *Environmental due diligence*

In order to remain compliant with the POEO Act (1997), environmental due diligence must be demonstrated to have been exercised throughout the construction process. To this end, an external, regular environmental management and monitoring system must be proposed, to ensure the integrity of pollution control measures.

Full plant and equipment details, an operational and monitoring plan and evidence of ability to achieve the required performance must be presented in the final plan.

Reason: To protect the environment and public and private assets in the vicinity.

Erosion and Sediment Control Measures

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

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

Site Maintenance

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

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

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

Shoring and Adequacy of Adjoining Property

93. If development involves excavation that extends below the level of the base, of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the persons own expense:
- (a) Protect and support the adjoining premises from possible damage from the excavation
 - (b) Where necessary, underpin the adjoining premises to prevent any such damage.
- Note:** If the person with the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to the condition not applying, this condition does not apply.
- Reason:** As prescribed under the Environmental Planning and Assessment Regulation 2000.

Special Permits

94. 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.

Road Opening Permits

95. 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.

96. Prior to any work commencing, including demolition, a noise management plan must be submitted for approval of council's Manager, Development and Traffic Services, and complied with during all works. The plan must be prepared by a suitably qualified person, who possesses qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

The plan must include, but not be limited to the following:

- (a) Confirmation of the level of community engagement that has, is and will be undertaken with the Building Managers/occupiers of the main adjoining noise sensitive properties likely to be most affected by site works and the operation of plant/machinery particularly during the demolition and excavation phases.
- (b) Confirmation of noise, vibration and dust monitoring methodology that is to be undertaken during the main stages of work at neighbouring noise sensitive properties during the main stages of work at neighbouring noise sensitive
- (c) What course of action will be taken following receipt of a complaint concerning site noise, dust and vibration?
- (d) Details of any noise mitigation measures that have been outlined by an acoustic engineer or otherwise that will be deployed on site to reduce noise impacts on the occupiers of neighbouring properties to a minimum.
- (e) What plant and equipment is to be used on the site, the level of sound mitigation measures to be undertaken in each case and the criteria adopted in their selection taking into account the likely noise impacts on the occupiers of neighbouring properties and other less intrusive technologies available.

Reason: To maintain appropriate amenity to nearby occupants.

Construction Traffic Management Plan

97. Prior to the commencement of any works on site (excluding exploratory and investigative works), 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:

- 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 of locations that will be used for layover for trucks waiting to access the construction site.
- 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;
 - Proposed construction hours;
 - Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements;
 - Construction program that references peak construction activities and proposed construction 'Staging';
 - 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;
 - Cumulative construction impacts of projects in the Parramatta CBD. Should any impacts be identified, the duration of the impacts;
 - Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified;
 - PLR construction traffic will use Church Street from early 2020 to early 2022.

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.

Driveway Crossing Application

- 98. 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.

Reinforced Concrete Pipe Work

- 99. All public domain stormwater pipes including 'Horwood Place', 'Houison Place' and 'United Lane' must be 375mm diameter reinforced concrete spigot and socket to Council-

approved specifications. The existing 300 mm pipe in United Lane must be replaced with a 375 mm reinforced concrete spigot and socket pipe. to Council's minimum standards.

Hazardous Material Survey - soil

100. Prior to the commencement of excavation activities, the applicant must submit to the satisfaction of the Principal Certifying Authority a contaminated soil survey of the site. Contaminated soils include (but are not limited to) asbestos materials. The report must be prepared by a suitably qualified and experienced environmental scientist. All contaminated waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2005 and the EPA publication 'Waste Classification Guidelines - 2008' and any other regulatory instrument as amended.

Hazardous Material Survey

101. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:
- a) The location of hazardous materials throughout the site;
 - b) A description of the hazardous material;
 - c) The form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
 - d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
 - e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
 - f) Identification of the disposal sites to which the hazardous materials will be taken.
- Reason:** To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

Asbestos Hazard Management Strategy

102. The preparation of an appropriate hazard management strategy by an appropriately licensed asbestos consultant pertaining to the removal of contaminated soil, encapsulation or enclosure of any asbestos material is required. This strategy shall ensure that any such proposed demolition works involving asbestos are carried out in accordance with the requirements of the 'Code of Practice: How to Safely Remove Asbestos' published by WorkCover NSW. The strategy shall be submitted to the Principal Certifying Authority, prior to the commencement of any works. The report shall confirm that the asbestos material has been removed or is appropriately encapsulated and that the site is rendered suitable for the development.
- Reason:** To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

Waste Management Plan – Demolition

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

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

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

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

Prior to the Commencement of Construction in Public Domain

104. The certifying authority is to confirm the ground floor slab levels, including finishes, finish flush with the public domain as per the approved Public Domain Alignment Drawings

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

Pruning/Works on Trees

105. Consent from Council must be obtained prior to any pruning works being undertaken on any tree on site, or any trees located in adjoining properties. All approved pruning works must be supervised by an Australian Qualifications Framework (AQF) Level 3 certified Arborist. This includes the pruning of any roots that are 30mm in diameter or larger.

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

DURING WORK

Copy of Development Consent

106. A copy of this development consent, together with the stamped plans, reference documents and associated specifications, is to be held onsite 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.

Materials on Footpath

107. 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.

Hours of Work and Noise

- 108.** 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 Friday 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 and 5:00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.

Reason: To protect the amenity of the area.

Complaints Register

- 109.** 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:
- i) The date and time of the complaint;
 - ii) The means by which the complaint was made;
 - iii) Any personal details of the complainants that were provided, or if no details were provided, a note to that affect;
 - iv) Nature of the complaints;
 - v) Any action(s) taken by the applicant in relation to the complainant, including any follow up contact with the complainant; and
 - vi) 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 to ensure complaints are dealt with appropriately.

Erosion & Sediment Control Measures

- 110.** 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.

Damage to Public Infrastructure

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

Reason: To protect public safety.

Survey Report

112. 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 that each floor level, and the maximum RL 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.

Nomination of Engineering Works Supervisor

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

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

Drainage to existing system

114. Stormwater from all new impervious areas, and subsoil drainage systems, must be piped to the existing site drainage system. The installation of new drainage components must be completed by a licensed contractor in Accordance with AS3500.3 (2003) - Stormwater Drainage and the Building Code of Australia (National Construction Code).

Reason: To ensure satisfactory stormwater disposal

Grated drain at garage

115. A 200mm wide grated drain, incorporating a heavy duty removable galvanised grate is to be located within the site at the intersection of the driveway and Council's footway to collect all surface water flowing down the driveway. The drainage line from the grated drain shall be connected to the street system, either separately or via the main site outlet.

Reason: Stormwater control.

Tanked (waterproofed) basement construction

116. The perimeter walls and floor of the basement shall be constructed using a "Tanked Construction" method, to prevent any flood and ground waters seeping through the basement walls and floor base. Basement walls and the base slab must be designed to withstand hydrostatic loading. Groundwater must be conveyed around the basement to replicate predevelopment groundwater flow conditions.

The landowner shall manage groundwater inflows and outflows during construction and thereafter in perpetuity, including monitoring, are satisfied and that there are no adverse effects on the environment and public health, including water table levels, surface and groundwater flow regimes, contamination and pollution, flooding, water quality and structural stability.

Reason: Protection of the environment and public health

Remediation Contact Details

117. A sign displaying the contact details of the remediation shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.

Reason: To provide contact details for council inspectors and for the public to report any incidents.

Contamination – Additional Information

118. Any new information which comes to light during remediation, 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.

Remediation Works

119. All remediation works shall be carried out in accordance with clauses 17 and 18 of State Environmental Planning Policy 55 - Remediation of Land.

Reason: To comply with the statutory requirements of State Environmental Planning Policy 55.

Discharge of contaminated groundwater

120. Groundwater shall be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant NSW EPA water quality standards and Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2000.

Other options for the disposal of groundwater include disposal to sewer with prior approval from Sydney Water or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

Reason: To ensure that contaminated groundwater does not impact upon waterways.

Contaminated Waste to Licensed EPA Landfill

121. Any contamination material to be removed from the site shall be disposed of to an EPA licensed landfill.

Reason: To comply with the statutory requirements of the Protection of the Environment Operations Act 1997.

Handled and Disposed of by Licensed Facility

122. All friable and non-friable asbestos-containing waste on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2005 and the EPA publication 'Waste Classification Guidelines - 2008' and any other regulatory instrument as amended.

Reason: To ensure appropriate disposal of asbestos materials.

Asbestos – Records Disposal

123. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority, copies of all receipts issued by the EPA licensed waste facility for friable or non-friable asbestos waste as evidence of proof of proper disposal within 7 days of the issue of the receipts.

Reason: To ensure appropriate disposal of asbestos materials.

Waste Data Maintained

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

Reason: To confirm waste minimisation objectives are met.

Dust Control

125. 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 the City of Parramatta 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.

Importation of Clean Fill

126. Any fill material, required by this consent, imported to the site is to be virgin excavated natural material (VENM), and is to be certified as such by a suitably qualified industry professional. The certification of each delivery is to be kept on site and produced for inspection if requested.

Reason: To ensure the site does not become contaminated, and appropriate compaction levels can be achieved.

Noise/Vibration

127. 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.

Public Domain Works Inspections

128. 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.

As each basement level is constructed the applicant **must provide survey data** demonstrating level change is not required at the building/public domain interface as per the approved updated Alignment Drawings.

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 the quality of public domain work complies with Council standards and requirements and Council's assets are appropriately constructed.

Occupation of any part of Footpath/Road

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

Reason: To ensure proper management of Council assets.

Oversize Vehicles Using Local Roads

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

Reason: To ensure maintenance of Council's assets.

No tree removal on public property

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

Reason: Protection of existing environmental infrastructure and community assets.

PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE CERTIFICATE

Occupation Certificate

132. 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.

Heritage Interpretation Plan

133. Prior to the issue of any Occupation Certificate the applicant shall:
- (a) Prepare an Interpretation plan for the site which incorporates the results of the archaeological investigations undertaken on the site. This plan should be prepared in accordance with Heritage Council of NSW *Guidelines for Interpretation*. The plan should consider options including the display of artefacts recovered from the site and how the public may interact with these displays during non office hours (e.g. on weekends). This plan must incorporate the advice of the Heritage Council of NSW or its Delegate prior, and also be to the satisfaction of council's Manager, Development and Traffic Services; and

- (b) Implement the recommendations of the approved Interpretation Plan

Reason: The interpretation of the early and rare archaeological resources from this site would provide another key activation point for understanding and explaining the earlier and ongoing occupation of this important Place in NSW.

Certification - Heritage Council

134. The Applicant shall submit a copy of written correspondence from the Heritage Council of NSW confirming that their requirements have been satisfied under any approvals issued under the Heritage Act 1977 and National Parks and Wildlife Act 1974. This correspondence shall be provided to City of Parramatta Council and the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To ensure the requirements of any approved Heritage Act consent are satisfied prior to occupation of the premises.

Record of Inspections Carried Out

135. 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 statutory requirements.

Certification – Fire Safety

136. Prior to the issue of each 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.

All Works/Methods/Procedures/Control Measures

137. 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 the City of Parramatta, stating that all works/methods/procedures/control measures/recommendations in the following specialist reports have been implemented (except as amended by conditions elsewhere in this Notice):

- (a) Acoustic report by Wood and Grieve, dated 9th September 2017. [Project No. 32723 Revision 01]
 - (b) Access review by Morris Goding Accessibility Consulting, dated August 2017
- Reason:** To demonstrate compliance with submitted reports.

The Release of Bond(s)

138. 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.

Street Numbering Application

139. 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.

Street Numbering Display

140. A street number is to be placed on the building in a readily visible location from a public place prior to the issue of an Occupation Certificate. The numbers are to have a minimum height of 75mm.
- Reason:** To assist wayfinding

ESD outcomes

141. Prior to the issue of the final Occupation Certificate the applicant shall submit to the Principal Certifying Authority, and a copy lodged with council, of the Commitment Agreement entered into with NSW Office of Environment and Heritage.
- Reason:** To ensure sustainable development outcomes are achieved.
142. Prior to the issue of the final Occupation Certificate the following must be demonstrated

to the satisfaction of the Principal Certifying Authority:

- (a) External solar reflectivity of all glazing is not to exceed 19% and is to be confirmed by testing of the batch(s) supplied for the building and retention of all necessary records to confirm performance had been met.
- (b) The glazing used on the tower otherwise meets the specifications shown on drawing DA-A-680-01, revision 4, at condition 1.

Reason: To ensure sustainable development outcomes are achieved.

Loading Dock Management Plan

143. Prior to the issue of the Occupation 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, generally 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.

Green Travel Plan

144. A Green Travel Plan for the use, to promote non-private vehicle transport for employees and guests, 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. The Travel plan shall be generally consistent with Appendix H of the Traffic Impact Assessment Report prepared by Traffix (September 2017, Ref: 17.156r02v03 TIA report)

Reason: To discourage trips by private vehicle.

Car parking and related matters

145. Parking supply

Prior to the issue of any Occupation Certificate the Principal Certifying Authority shall ensure that the supply of parking spaces for cars (including a minimum of 2 accessible spaces), motorcycles and bicycles, and the provision of loading docks, shall be in accordance with the plans approved at condition 1.

146. Compliance with standards

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.

147. Signage at basement entry

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

Reason: To ensure pedestrian safety.

148. Driveway Crossover

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 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: Pedestrian and Vehicle safety.

Provision of services

149. 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.

150. Telephone Services

The submission of documentary evidence from the telecommunications provider authorised under the *Telecommunications Act 1997* confirming arrangements have been made for the provision of telephone services prior to the issue of a Subdivision

Certificate.

Reason: To ensure appropriate telephone services are provided.

151. Electricity Services

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

Reason: To ensure appropriate electricity services are provided.

152. Broadband Services

Prior to the issue of any Occupation Certificate, the developer is to provide evidence that satisfactory arrangements have been made with the National Broadband Network (NBN) Company where relevant, and implemented at no cost to Council for the provision of broadband access to the development.

Note: For more information contact NBN Co. Development Liaison Team:

Call: 1800 881 816

Email: newdevelopments@nbnco.com.au

Web: www.nbnco.com.au/NewDevelopments.

Reason: To ensure that appropriate provision has been made to accommodate broadband access to the development.

Subdivision

153. The building shall not be subdivided without relevant prior approval. Any application for subdivision must be accompanied by a final occupation certificate.

Reason: To comply with the *Strata Schemes (Freehold Development) Act 1973*.

Lot Consolidation

154. All individual parcels of land holding a separate title within the development site must be consolidated into one lot. A plan of consolidation must be registered with the Land and Property Information Division of the Department of Lands, prior to an Occupation Certificate being issued.

Reason: To comply with the Conveyancing Act 1919.

Certification – Public Art

155. Prior to the issue of the final Occupation Certificate the applicant shall, to the satisfaction of Council's Service Manager of City Animation:

- Submit final documentation including details of fabrication and installation of the public art work, including a maintenance schedule, for approval; and
- Install the completed art work(s).

Reason: To comply with Development control requirements.

Design Jury Review

156. Council's Design Competition Panel (Design Excellence Jury) shall review and comment

on the 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 Certificate.

Reason: To ensure the proposal achieves design excellence.

Crime prevention measures

157. Prior to the issue of any Occupation Certificate, provide certification to the to the Principal Certifying Authority of the completion of the following measures:

- (a) The applicant shall install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the car park and building, lobby spaces to all lift cores, entry doors to all fire stairs.

The system shall be designed and operated to enable recordings (24) hours a day seven (7) days a week. The time and date must automatically be recorded. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed.

The CCTV control system should be located within a secured area of the premise and only accessible by authorised personnel. Signage warning of CCTV coverage shall be displayed in suitable locations.

- (b) The lift external walls of the lift cores should be painted a bright colour, or otherwise treated, to assist in way finding through the basement.
- (c) Fire exit doors should be fitted with measures to restrict unauthorised access.
- (d) A 'swipe' card system or the like shall be used to control access to all service areas.

Reason: To assist in minimising the incidence of crime and contribute to perceptions of increased public safety, both on and within proximity to the site

Reinstatement of Laybacks

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

Reason: To provide satisfactory drainage.

Flood Emergency Response Plan

159. The approved Flood Emergency Response Plan must be registered on the title of the property, with evidence of such submitted to council prior to issue of any Occupation Certificate.

Reason: To manage flood risk on the site.

Work-as-Executed Plan

160. 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.

Covenants, easements or restrictions on the use of land

161. Services and public domain works.

Prior to the issue of any Occupation Certificate, the applicant shall have registered the necessary covenants, easements or restrictions on the use of land over adjoining Lot 100 DP 607789 in order to accommodate stormwater and public domain works approved with this application, and utility services.

The terms of those covenants, easements or restrictions on the use of land shall be endorsed by council prior to the registration of those documents.

Evidence of registration must be submitted to the Principal Certifying Authority, and council, prior to the issue of any Occupation Certificate or use of the site.

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

162. Positive Covenant - OSD

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

The terms of the 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 facility, including its relationship to the building footprint.

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

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

Restriction for maintenance of flood proofing measures

163. A restriction on the use of land and a positive covenant must be placed on the title of the property for the maintenance of all flood-proofing measures, including flood gates and flood doors. This must be completed to the satisfaction of Council's Team Leader Technical Specialists prior to release of the Occupation Certificate.

Reason: To ensure that flood proofing measures are maintained in optimal operational condition.

Driveway Crossover

164. 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 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: Pedestrian and Vehicle safety

Reinstatement of laybacks

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

Reason: To provide satisfactory drainage.

Post-Construction Dilapidation Report

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

infrastructure and roads. The report is to be submitted to and approved by the Principal Certifying Authority (PCA) prior to issue of occupation certificate. In ascertaining whether adverse structural damage has occurred to adjoining buildings, infrastructure and roads, the PCA must:

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

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

Commercial contract for waste collection

167. Prior to issue of any 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.

Waste Storage Rooms

168. 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 ensure appropriate waste storage facilities are provided for future occupants.

Public Domain Works-as-Executed

169. 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.

Tree Planting Container Size

170. All trees supplied above a 25L container size must be grown in accordance with AS2303:2015 (Tree stock for landscape use). Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown in accordance with AS2303:2015. A copy of this certificate is to be forwarded to Council with the Occupation Certificate.

Reason: To minimise plant failure rate and ensure quality of stock utilised.

Landscape Certification

171. 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.

OPERATIONAL CONDITIONS - THE USE OF THE SITE

Separate approval for use of the building

172. The use or occupation of each of the retail or commercial premises must be the subject of separate specific approval(s).

Reason: To ensure development consent is obtained prior to that use commencing.

Signage and covering of glass facades

173. No advertisement/signage – including lifestyle or corporate graphics and digital displays - shall be erected or displayed without prior consent. This is to maintain design integrity, surveillance of the public areas including United Lane, and avoid a 'back of house' presentation to the public domain.

Future signage shall be located in accordance with signage zones shown on drawing DA-A-210-001, revision 1 as listed at condition 1.

Reason: To comply with legislative controls

ESD Reporting

174. Subsequent to the issue of the final Occupation Certificate, the following must be demonstrated to and confirmed to the City:

- (a) 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.
- (b) 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.
- (c) The applicant will undertake a formal NABERS Water 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.

Green Travel Plan

175. The approved Green Travel Plan shall be displayed at all times through the employee-only areas of the building.

Reason: To discourage trips by private vehicle.

Loading Dock Management

176. The loading dock shall be managed at all times in keeping with the requirements of the Loading Dock Management Plan required by this consent.

Reason: To ensure the efficient servicing of the site.

Public access to arcade

177. At a minimum, the ground floor arcade linking Church Street to Horwood Place shall be open for public access during the following times:

Monday	8am - 6pm
Tuesday	8am - 6pm
Wednesday	8am - 6pm
Thursday	8am - 8pm
Friday	8am - 6pm
Saturday	9am - 5pm
Sunday	9am - 5pm

The hours can be extended to accommodate specific trading hours as determined by subsequent approval.

Reason: To maintain existing pedestrian connections.

Removal of graffiti.

178. 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

Roller shutter door security access card reader

179. The roller shutter door to be provided at the driveway entry and exit from Houison Lane is to be operated via remote control. A security access card reader cannot be installed for this development as it will impede access to the carpark and not comply with the Clause Nos. 3.3(b) of AS 2890.1-2004.

Reason: To comply with Australian Standards.

Ground floor presentation

180. Roller shutters are not to be placed over any external door or window of the premises.

Reason: To provide an appropriate streetscape appearance.

Goods Not to be Displayed Outside Premises

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

Noise from Mechanical Equipment

182. 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.

Provide waste storage room

183. 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 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

Waste collection and storage

184. All garbage collection must occur on site (i.e. off-street).

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

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

clean and tidy condition at all times.

Reason: To ensure provision of adequate waste disposal arrangements.

Maintenance of landscape and public domain works

185. Public domain works

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), in accordance with the schedule required elsewhere in this Notice.

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.

186. Onsite landscaping

All onsite landscape works shall be maintained following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions

Reason: To ensure restoration of environmental amenity.