

## APPENDIX 1 - DRAFT CONDITIONS OF CONSENT

### General Matters

#### Planning

##### **Approved Plans and Supporting Documentation**

- The development must be carried out in accordance with the plans and documentation listed below, and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

Architectural & Landscape Drawings (Group GSA Project No: 160161)

| Plan No. | Issue | Plan Title                                       | Dated    |
|----------|-------|--|----------|
| DA-0001  | C     | Title Sheet/Location Plan                        | 29/05/18 |
| DA-1000  | C     | Demolition Plan                                  | 29/05/18 |
| DA-1101  | H     | Public Domain Alignment - Floor Plan             | 29/05/18 |
| DA-1102  | G     | Public Domain Alignment - Floor Plan with Survey | 29/05/18 |
| DA-1103  | F     | Public Domain Alignment - Sections - Sheet 1     | 29/05/18 |
| DA-1104  | H     | Public Domain Alignment - Sections - Sheet 2     | 29/05/18 |
| DA-1105  | G     | Public Domain Alignment - Sections - Sheet 3     | 29/05/18 |
| DA-1400  | C     | GFA Diagrams & FSR                               | 29/05/18 |
| DA-2000  | F     | Ground Floor/Site Plan                           | 29/05/18 |
| DA-2001  | D     | Mezzanine Floor Plan                             | 29/05/18 |
| DA-2002  | C     | Level 1 Plan                                     | 29/05/18 |
| DA-2003  | C     | Level 2 Plan                                     | 29/05/18 |
| DA-2004  | D     | Level 2 Mezzanine Plan                           | 29/05/18 |
| DA-2005  | C     | Level 3 Plan                                     | 29/05/18 |
| DA-2006  | D     | Level 4 & Level 5 Plan                           | 29/05/18 |
| DA-2007  | D     | Level 6 & Level 7 Plan                           | 29/05/18 |
| DA-2008  | D     | Level 8 & Level 9 Plan                           | 29/05/18 |
| DA-2009  | D     | Level 10 & Level 11 Plan                         | 29/05/18 |
| DA-2010  | D     | Level 12 & Level 13 Plan                         | 29/05/18 |
| DA-2011  | D     | Level 14 & Level 15 Plan                         | 29/05/18 |
| DA-2012  | D     | Level 16 & Level 17 Plan                         | 29/05/18 |
| DA-2013  | D     | Level 18 & Level 19 Plan                         | 29/05/18 |
| DA-2014  | D     | Level 20 & Level 21 Plan                         | 29/05/18 |
| DA-2015  | E     | Level 22 & Level 23 Plan                         | 05/06/18 |
| DA-2016  | E     | Level 24 & Roof Plant Plan 3094.95               | 05/06/18 |
| DA-2017  | D     | Roof Plan  | 05/06/18 |
| DA-3000  | E     | North Elevation                                  | 05/06/18 |
| DA-3001  | E     | East Elevation                                   | 05/06/18 |
| DA-3002  | E     | West Elevation                                   | 05/06/18 |
| DA-3003  | E     | South Elevation                                  | 05/06/18 |
| DA-3050  | A     | Façade Details - Podium                          | 29/05/18 |
| DA-3051  | B     | Façade Details - Crown                           | 05/06/18 |
| DA-3052  | A     | West Façade Details                              | 29/05/18 |
| DA-3100  | E     | Sections 1                                       | 05/06/18 |

| Plan No. | Issue | Plan Title                            | Dated    |
|----------|-------|---------------------------------------|----------|
| DA-3101  | C     | Sections 2                            | 29/05/18 |
| DA-3102  | D     | Sections 3                            | 29/05/18 |
| DA-3200  | C     | Photomontage Views                    | 29/05/18 |
| DA-8300  | C     | External Materials & Finishes         | 29/05/18 |
| L-7000   | H     | Landscape proposals-Ground Floor Plan | 09/03/18 |
| L-7004   | E     | Landscape proposals-Level 3 Plan      | 07/09/17 |
| L-7005   | D     | Landscape proposals-Level 4 Plan      | 05/05/17 |
| L-7006   | G     | Landscape proposals-Roof Terrace Plan | 01/03/18 |
| L-8000   | A     | Typical Paving Layout – Ground Level  | 05/05/17 |
| L-8001   | B     | Details                               | 05/05/17 |

Civil Drawings (Taylor Thomson Whitting Project No: 161529)

| Plan No. | Issue | Plan Title                                | Dated    |
|----------|-------|---|----------|
| C01      | P7    | NOTES AND LEGENDS SHEET                   | 29/05/18 |
| C02      | P4    | CATCHMENT PLAN                            | 24/10/17 |
| C03      | P2    | EROSION AND SEDIMENT CONTROL PLAN         | 24/10/17 |
| C04      | P14   | SITWORKS PLAN                             | 29/05/18 |
| C05      | P2    | DETAIL SHEET                              | 24/10/17 |
| C06      | P3    | OSD TANK DETAIL SHEET                     | 24/10/17 |
| C07      | P6    | PUBLIC DOMAIN WORKS                       | 29/05/18 |
| C08      | P6    | PUBLIC DOMAIN WORKS LONGITUDINAL SECTIONS | 09/03/18 |
| C09      | P8    | PUBLIC DOMAIN WORKS CROSS SECTIONS        | 31/05/18 |

Specialist Reports

| Document   | Ref No.                | Issue | Prepared By                       | Dated    |
|--|------------------------|-------|-----------------------------------|----------|
| Arboricultural Impact Assessment Report  | N/A                    | N/A   | Earthscape Horticultural Services | 10/2017  |
| Building Code of Australia Compliance Assessment Report                                | 7034                   | 05    | AED                               | 04/06/18 |
| Construction Management Plan   | N/A                    | N/A   | Decode Group                      | N/A      |
| Crime Prevention Through Environmental Design  | 15893                  | E1    | Ethos Urban                       | 10/10/17 |
| Desktop Pedestrian Wind Environment Memo   | WD362-04F01            | 1     | Windtech                          | 01/08/17 |
| ESD DA Report  | N/A                    | 5     | WSP                               | 14/02/18 |
| Flooding and Stormwater Management Plan  | 161529                 | N/A   | TTW                               | 04/06/18 |
| Historical Archaeological Assessment, Statement of Heritage Impact and Research Design | 1804                   | 2     | Austral Archaeology               | 26/04/18 |
| Landscape Proposal   | 160161                 | C     | Group GSA                         | 06/10/17 |
| Pedestrian Wind Environment Memo   | WD362-04F05            | 1     | Windtech                          | 01/06/18 |
| Pool and Pool Deck Noise Letter  | 20161772.1/1403A/R0/MF | N/A   | Acoustic Logic                    | 14/03/17 |
| Preliminary Public Art Plan  | N/A                    | N/A   | Milne &                           | 01/2018  |

|                                      |             |     |                    |          |
|--------------------------------------|-------------|-----|--------------------|----------|
|                                      |             |     | Stonehouse Artists |          |
| Preliminary Site Investigation       | 85828.00    | 1   | Douglas Partners   | 30/10/17 |
| Report on Geotechnical Investigation | 85828.00    | 1   | Douglas Partners   | 30/10/17 |
| Solar Light Reflectivity Analysis    | WD362-04F03 | 3   | Windtech           | 01/06/18 |
| Statement of Environmental Effects   | 15893       | A   | Ethos              | 09/11/17 |
| Statement of Heritage Impact         | N/A         | N/A | NBRS               | 03/08/17 |
| Traffic Impact Assessment Report     | 0286r01     | 6   | Ason Group         | 04/06/18 |
| Waste Management Plan                | N/A         | N/A | The Mack Group     | 19/07/17 |

**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 the demolition of the existing buildings and associated hardstand areas on the site, 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.

**Public Utility Relocation**

6. 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.

#### **Communal Open Space**

7. All the common areas proposed within the site, including rooftop terraces, shall be fully accessible to disabled persons.

**Reason:** To provide equitable access for disabled persons.

#### **Design Excellence**

##### ***Design Excellence Preservation***

8. In order to ensure the design excellence quality of the development is retained:
- The architectural design team, *Group GSA*, 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).
  - The design architect's team is to have full access to the site, following appropriate safety inductions, and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of any design issues throughout the life of the project.
  - Evidence of the design architect's team commission is to be provided to the Council prior to release of any Construction Certificate.
  - Council's Design Competition Panel (Design Excellence Jury) is to review and provide comment on the architectural drawings and 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.
  - 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.

#### **Endeavor Energy**

##### ***Electrical Infrastructure - Asbestos***

9. Endeavour Energy's G/Net master facility model indicates that the site is in a locality identified or suspected of having asbestos or asbestos containing materials (ACM) present. Whilst Endeavour Energy's underground detail is not complete within G/Net in some areas, in older communities, cement piping was regularly used for the electricity distribution system and in some instances containing asbestos to strengthen the pipe; for insulation; lightness and cost saving.

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

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

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

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

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

### **Electrical Connection**

10. Although there are existing customer connections to the site, the applicant for the future proposed development of the site may need to submit an application for connection of additional load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and the method of supply will be determined. Depending on the outcome of the assessment, any required padmount substations will need to be located within the property (in a suitable and accessible location) and be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy. Please find attached a copy of Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights'. Further details are available by contacting Endeavour Energy's Network Connections Branch via Head Office enquiries on telephone: 133 718 or (02) 9853 6666 from 8am - 5:30pm or on Endeavour Energy's website under 'Home > Residential and business > Connecting to our network' via the following link:

<http://www.endeavourenergy.com.au/>

Advice on the electricity infrastructure required to facilitate the proposed development (including asset relocations) can be obtained by submitting a Technical Review Request to Endeavour Energy's Network Connections Branch, the form for which FPJ6007 is attached and further details (including the applicable charges) are available from Endeavour Energy's website under 'Our connection services'. The response to these enquiries is based upon a desktop review of corporate information systems, and as such does not involve the engagement of various internal stakeholders in order to develop a 'Connection Offer'. It does provide details of preliminary connection requirements which can be considered by the applicant prior to lodging a formal application for connection of load.

Alternatively the applicant should engage a Level 3 Accredited Service Provider (ASP) approved to design distribution network assets, including underground or overhead. The ASP scheme is administered by NSW Trade & Investment and details are available on their website via the following link or telephone 13 77 88:

<http://www.resourcesandenergy.nsw.gov.au/energy-supply-industry/pipelines-electricity-gas-networks/network-connections/contestable-works>

**Reason:** To comply with the requirements of Endeavour Energy.

### **Electrical Easements**

11. The following is a summary of the usual / main terms of Endeavour Energy's electrical easements / protected electrical works requiring that the land owner:

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

If the proposed works will encroach/affect Endeavour Energy's easements contact must first be made with the Endeavour Energy's Easements Officer.

It is imperative that the access to the existing electrical infrastructure adjacent and on the site is maintained at all times. To ensure that supply electricity is available to the community, access to the electrical assets may be required at any time.

**Reason:** To comply with the requirements of Endeavour Energy.

### **Electrical Workers Safety**

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

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

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

**Reason:** To ensure construction safety procedures are appropriately implemented.

***Adjoining Substation***

13. Due to the site adjoining a padmount substation consideration needs to be given to the fire rating of the adjoining building. Under Endeavour Energy's Mains Design Instruction MDI 0044 'Easements and Property Tenure Rights' Annexure 2 'Terms of Restrictions on the Use of Land', A3.1 'Safety Clearance between Padmount Substations and Adjacent Buildings', a minimum of 3 metre clearance from the padmount substation plinth is required or failing this any building within this area would need to meet the required fire rating.

**Reason:** To comply with the requirements of Endeavour Energy.

**Environmental Health**

***Hazardous/Intractable Waste Disposed Legislation***

14. 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***

15. 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***

16. 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.

**Office of Environment and Heritage (Archaeology)**

***Separate Archaeology Approval Required***

17. Prior to commencement of works an Excavation Permit under Section 140 of the Heritage Act 1977 must be obtained from the Heritage Council. This must include an updated Research

Design and a work method statement detailing how the testing and salvage of locally significant 'relics' would be conducted without damage to State significant items, noting that the works will be subject to on-site monitoring by a suitably qualified archaeologist.

**Reason:** To ensure the development is in accordance with the Heritage Act 1977.

#### **Archaeology Excavation Supervision**

18. A suitably qualified and experienced Excavation Director should be nominated to undertake the works and must fulfil the Excavation Director Criteria for the significance level and activity proposed.

**Reason:** To ensure the development is in accordance with the Heritage Act 1977.

#### **Protection of Archaeology**

19. In the event State significant archaeological remains may be harmed by the proposed development, these remains should be avoided and protected during these works.

**Reason:** To mitigate impacts to State significant archaeological resources.

#### **Archaeology Excavation Parameters**

20. Excavation and ground disturbance will be coordinated with Aboriginal archaeology and the National Parks and Wildlife Act 1974 approval process.

**Reason:** To manage the Aboriginal and historic constraints on the project in a timely and efficient manner.

### **Trees and Landscaping**

#### **Tree Retention**

21. Trees to be retained are:

| <u>Tree No.</u> | <u>Name</u>              | <u>Common Name</u> | <u>Location</u>          | <u>DBH Diameter at breast height (mm)</u> | <u>Tree Protection Zone (m)</u> |
|-----------------|--------------------------|--------------------|--------------------------|---|---------------------------------|
| 4               | <i>Syzygium australe</i> | LillyPilly         | Refer to Arborist Report | 150mm                                     | 2.5m                            |
| 6               | <i>Syzygium australe</i> | LillyPilly         | Refer to Arborist Report | 100mm                                     | 1.5m                            |
| 8               | <i>Syzygium australe</i> | LillyPilly         | Refer to Arborist Report | 100mm                                     | 1.5m                            |

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

### **Prior to the issue of a relevant Construction Certificate**

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

### **Planning**

#### **Section 7.12 Contributions**

- 21-22. A monetary contribution comprising \$2,268,712.65 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.

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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.

#### **Long Service Levy**

22-23. 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.

#### **Environmental Enforcement Service Charge**

23-24. 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.

#### **Infrastructure & Restoration Administration Fee**

24-25. 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.

#### **Security Bonds**

25-26. 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/954/2017;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

|  |
|--|
| <b>Hoarding</b> (see Schedule of Fees and charges, \$5,000 - \$10,000 per street frontage in current financial year) |
| <b>Development Site</b> (see Schedule of Fees and Charges, \$25,000 in current financial year)                       |

A dilapidation report is required to be prepared prior to any work or demolition commencing.

This is required to be submitted to City of Parramatta with the payment of the bond/s.

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

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

#### **No External Service Ducts**

**26-27.** 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.

#### **Accessible Hotel Rooms**

**27-28.** At least 13 accessible rooms shall be provided within the hotel, distributed proportionately across the mix of hotel room types (ideally at least 1 accessible room for each room type). Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority prior to the issue of the relevant Construction Certificate.

**Reason:** To maximise accessible options.

#### **Specialist Reports**

**28-29.** The recommendations in the specialist reports outlined in Condition 1 shall be incorporated into the plans and documentation accompanying the relevant Construction Certificate to the satisfaction of the Certifying Authority. A list of all of the recommendations and how they have been actioned shall be provided to Council.

**Reason:** To ensure the development is implemented as proposed.

#### **Access and Services for People with Disabilities**

**29-30.** 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 each 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.

#### **Location of Plant**

**30-31.** 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, except as explicitly shown otherwise on the approved drawings.

**Note:** Architectural plans identifying the location of all plant and equipment must be provided to the Certifying Authority.

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

#### **Location of Mains Services**

**31-32.** 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.

#### **Reflectivity**

**32-33.** External materials must be pre-colour coated on manufacture having a low glare and reflectivity finish. The reflectivity index of roof finishes and glazing is to be no greater than 20% so as not

to result in glare that causes any nuisance or interference to any person or place. Details demonstrating compliance must be submitted to, and approved by, Council's City Architect prior to issue of the relevant Construction Certificate.

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

#### ***External Walls and Cladding Flammability***

**33-34.** 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.

#### ***Submit Detailed Concept Development, Including Artwork***

**34-35.** A Detailed Public Art Plan prepared by a suitably qualified and experienced public art consultant, developed in accordance with the City of Parramatta's 'Interim Public Art Guidelines for Developers' and the Preliminary Public Art Plan by Milne & Stonehouse Artists dated January 2018, shall be submitted to and approved by Council's Service Manager of City Animation, prior to the issue of any Construction Certificate for works above ground level.

The Public Art Plan is to include contextual and historical themes, and design details of each public art work, including concept drawings, scale and context, materials and finishes, timeline showing staging of the artwork, and an estimated budget, indicated on the approved plans.

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

#### ***Driveway Materiality***

**35-36.** Notwithstanding the drawings hereby approved, the forecourt shall be bifurcated to clearly demarcate and separate vehicular and pedestrian traffic. Details demonstrating compliance shall be submitted to, and approved by, Council's Manager DTSU prior to release of the relevant Construction Certificate.

**Reason:** To assist in separating vehicular and pedestrian traffic.

#### ***Wind Testing***

**36-37.** Further wind tunnel testing shall be completed to demonstrate that the wind amelioration measures (screen, planters, etc) outlined in the Desktop Pedestrian Wind Environment Memo Ref: WD362-04F01 Rev: 1 by Windtech dated 01/08/17 will ensure all wind testing locations pass the relevant wind criteria. If further amelioration measures are required they must be tested and included in the construction drawings. Details demonstrating compliance shall be submitted to, and approved by, Council's Manager DTSU prior to release of the relevant Construction Certificate.

**Reason:** To ensure the safety of occupants and pedestrians.

#### ***Ventilation***

**37-38.** The external windows off the corridors on levels 4 – 24 (inclusive) shall contain openable windows. Details demonstrating compliance shall be submitted to the satisfaction of the Certifying Authority prior to the issue of the relevant Construction Certificate.

**Reason:** To provide natural cross ventilation and reduce reliance on mechanical cooling.

### **Design Excellence**

#### ***Detailed Drawings***

**38-39.** 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.

All of the wind amelioration measures (screen, planters, etc) outlined in the Desktop Pedestrian Wind Environment Memo Ref: WD362-04F01 Rev: 1 by Windtech dated 01/08/17 shall be outlined in the detailed drawings.

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.

#### **Rear Elevation Materiality**

~~39-40~~ Notwithstanding the drawings hereby approved, the materiality of the rear (south) elevation of the podium (ground up to and including level 3) shall be further resolved to increase its visual interest. Details demonstrating compliance shall be submitted to, and approved by, Council's Manager DTSU prior to release of the relevant Construction Certificate.

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

### Endeavour Energy

#### **Energy Provider Requirements for Substations**

~~40-41~~ Documentary evidence to the satisfaction of the Certifying Authority is to accompany the application for the relevant Construction Certificate confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development.

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

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

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

### Engineering

#### **On Site Detention**

~~41-42~~ 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 relevant 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.

"Flooding and Stormwater Management Plan revised - by TTW 12 Dec 2017"

- (b) A Site Storage Requirement of ~~470~~ <sup>455</sup> m<sup>3</sup>/ha and a Permissible Site Discharge of ~~80~~ <sup>40</sup> L/s/ha 40 L/s/ha from the primary orifice and 150 L/s/ha from the secondary orifice (when using ~~3rd~~ <sup>4th</sup> edition of UPRCT's handbook)
- (c) 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.

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(d) 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.

#### ***Stormwater Disposal***

~~42-43.~~ All roof water and surface water is to be connected to an operable drainage system. Details are to be shown on the plans and documentation accompanying the application for a Construction Certificate.

**Reason:** To ensure satisfactory stormwater disposal.

#### ***Water Treatment for Stormwater***

~~43-44.~~ A SPEL Hydrosystem 1000 or equivalent water quality treatment device must be installed to manage surface runoff water to George 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.

#### ***Design to Withstand Flooding***

~~44-45.~~ 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.

#### ***De-watering of Excavation Sites***

##### ***Geotechnical Consideration***

~~45-46.~~ The recommendations as outlined in the Geotechnical Report titled "Report on Geotechnical Investigation", Report Number 85828.00, Revision 1 dated 30/10/2017, prepared by Douglas Partners shall be implemented to the satisfaction of the Certifying Authority.

**Reason:** To ensure the geotechnical compliance, ongoing safety and protection of property.

#### ***Retaining Walls***

~~46-47.~~ 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.

#### ***Dial Before You Dig Service***

~~47-48.~~ 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.

#### ***Driveway Surface to Match Existing Footpath Level***

~~48-49.~~ The driveway within the property shall be designed and constructed to match the surface levels with that of existing footpath within the property frontage and that joints are smooth, and no part of the concrete protrudes out. To prevent street stormwater spilling into the property through the driveway, the driveway surface should be graded such that it rises upward from kerb &

gutter with the crest across the driveway at the property line, which should be at least 150mm higher than the top of kerb.

**Reason:** To provide suitable vehicle access and smooth junction.

**Construction of a heavy duty vehicular crossing**

~~49-50~~ 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.

**Impact on Existing Utility Installations**

~~50-51~~ 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.

**Support for Council Roads, Footpath, Drainage Reserve**

~~51-52~~ 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 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 must accompany the relevant 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.

**Proposed Inlet Pit**

~~52-53~~ The proposed kerb inlet pit must be constructed in accordance with Council Standard Plan No. DS21. Details are to form part of the Construction Certificate documentation.

**Reason:** To ensure appropriate drainage.

## Environmental Health

**Food Preparation Facilities**

~~53-54~~ Detailed plans of any food / beverage preparation facilities and waste storage areas shall be submitted to the Principal Certifying Authority (PCA) prior to the issue of the relevant Construction Certificate.

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

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

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

**Note:** Copies of AS 4764 may be obtained from Standards Australia Copies of the Food Standards Code may be obtained from Australia and New Zealand Food Authority.

Alternatively, you may obtain a copy of the 'Food premises design, construction and fit-out guide' from Council. This guide is based on the above standards and sets out minimum requirements to achieve compliance.

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

#### **Waste Storage Visibility**

**54-55.** All waste storage rooms/areas are to be fully screened from public view and are to be located clear of all landscaped areas, ~~driveways, turning areas, truck standing areas and car parking spaces~~. No materials, waste matter or products are to be stored outside the building or any approved waste storage area at any time.

**Reason:** To maintain the amenity of the area.

#### **Waste Storage Rooms**

**55-56.** 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.

### **Public Domain**

#### **Public Domain Construction Drawings**

**56-57.** Prior to the issue of the Construction Certificate for any construction work relating to the ground floor, including slab pour, public domain works or any other above ground structure, a set of detailed **Public Domain Construction Drawings** must be submitted to and approved by Council's Development and Traffic Services Unit (DTSU) Manager. The drawings shall address, but not limited to, the following areas:

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

Grading of the pedestrian footway:

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

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

- The latest City of Parramatta Public Domain Guidelines (PDG);



- The approved Public Domain Alignment Drawings, and
- The approved Public Domain Drawings, and
- All the conditions listed in this consent.

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

#### ***Footway Specifications***

~~57-58.~~ Notwithstanding the approved Public Domain Drawings and Public Domain Alignment Drawings, the following requirements shall be included in the Public Domain Construction Drawings:

##### Footpath

The standard 'City Centre Paving' concrete paver, **Pebblecrete, product PPX:544:35D, 300x300x60mm, honed finish** shall be applied to the entire public domain areas in George St 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 (DS40, sheet 1-3). The Public Domain Plans must be amended to reflect the following changes:

- The grade across the footpath crossing (driveway) must be adjusted to increase the grade on the footpath zone to 2.5%.

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

##### Vehicle Crossing

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

##### Tactile Indicators (TGSIs)

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

TGSI's must comply as follows.

- TGSI's are required at the top and base of each flight/ramp, to comply with AS1428.4.1 (2009)
- TGSI's are not required on a landing where handrails continue through the landing
- TGSI's and hand rails are not to protrude in to the clear path of travel in the public domain, to comply with AS1428.4.1 (2009).

##### Clear Path of Travel (Shore-Lining)

Provide within the public domain a clear path of travel past the full length of the site

##### Sealant

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

##### Non-slip surface

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

##### Handrails

Handrails must comply as follows:

- Handrails are to be installed on each side of the stair or ramp (or centrally).



- The landing area shall be designed to sufficiently accommodate the required TGSI and handrail projection, which must be outside pedestrian path of travel and circulation spaces.
- The design of handrail shall comply with AS1428.1:2009.
- Diameter to be 30-50mm.
- Clearance behind the handrail to be at least 50mm.

#### Ramps

Ramps must comply as follows:

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

Preference is for proposed ramps with maximum grade of 1:20 ~~ramps to not require handrails (ie make them flatter than 1:20 and referred to as 'walkway gradient'). If 1:20 walkway gradient without hand rail is provided, applicant to submit independent access advice to support this provision.~~

#### 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 standards drawing and specifications.

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

**Reason:** To comply with the Public Domain Guidelines.

#### Street Tree Specifications

~~58-59.~~ Notwithstanding the approved Public Domain Drawings and Public Domain Alignment Drawings, the required street tree species, quantities and supply stocks are:

| Street Name   | Botanical Name                        | Common name         | Pot Size | Qty   | Average Spacing  |
|---------------|---------------------------------------|---------------------|----------|-------|--|
| George Street | <i>Platanus orientalis</i> 'Digitata' | Cut Leaf Plane Tree | 400L     | 1-off | As shown on the approved drawings or as agreed by Council's DTSU Manager |

**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 (**CoP\_Street tree planting in StrataVault with 1500x1500mm**

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

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

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

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

**Reason:** To ensure high quality street trees are provided.

#### **Carriageway Specifications**

**59-60.** Notwithstanding the approved Public Domain Drawings and Public Domain Alignment Drawings, the public road reserve and, in particular kerb and gutter alignment is to remain unchanged.

**Reason:** To ensure a consistent kerb alignment.

#### **Details of Planter Beds**

**60-61.** Landscape details for the treatment of the planter beds and planter boxes fronting the public domain, that ensure easy replacement of individual plants, are to be provided. Details of growing medium to ensure the establishment and long-term success of the landscaping are to be provided. Irrigation of the landscape planters is to be provided. An automatic irrigation system shall be set up for the planter beds and planter boxes that does not impact negatively on the public domain; excess water will not travel over the footway causing a slippery surface. Adequate sub-surface drainage layer connected to the nearest storm water system is to be provided. The public domain construction documentation must include the full performance specifications for the installation and operation of the planter beds and planter boxes.

**Reason:** To provide best conditions to achieve healthy, thriving, long-lived landscape in planter beds and planter boxes fronting the public and private domain.

### **Sustainability**

#### **ESD Initiatives**

**61-62.** Prior to the issue of the relevant Construction Certificate, the following must be demonstrated to the satisfaction of the Principal Certifying Authority:

- (a) The building must achieve a 5-star Green Star Design as-built rating (v1.2 or later). Evidence is to be provided in the form of formal registration of the project with the Green Building Council of Australia and submission of the Design Review, accordance with the Design Review certified rating of the Green Building Council of Australia.
- (b) A dual reticulation (dual pipe) system is to be installed of sufficient size and capacity to supply all potable and non-potable water uses for the building including single connection point at the boundary of the site for connection to a future recycled water scheme.
- (c) Rainwater collection and reuse is to be installed and suitably sized to serve toilets, urinals and cooling towers.
- (d) LED lighting must be provided throughout the building including exterior lighting.
- (e) 95% of all timber is used on the project is to be FSC Certified under the Forest Stewardship Council certification system.
- (f) Limit the use of PVC with minimum replacement of 60% (by cost) compared to standard practice.
- (g) All lifts must be gearless with regenerative drives. Passenger lifts to have destination control.
- (h) Water efficient fixtures and fittings must be used throughout the hotel portion, including

guestrooms. Minimum WELS rating of 4 star for toilets, 6 Star for tapware and 3 star (less than 7.5 l/min) for showers and 6 star for urinals are required.

- (i) The building will be designed and constructed to operate at a minimum NABERS Hotel Energy rating of 4 stars without accounting for any Green Power used in the building and a corresponding Commitment Agreement be entered into with NSW Office of Environment and Heritage.
- (j) Solar shading is to be provided to the Western façade to an extent no less than shown on drawing DA-3002 and described in Appendix C on the ESD DA report rev 05 prepared by WSP and dated 14/02/2018.

**Reason:** To ensure sustainable development outcomes are achieved.

## Traffic

### ***Bicycle Parking***

**62-63.** The bicycle storage areas must be capable of accommodating a minimum of 7 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.

### ***Driveway Grades***

**63-64.** 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.

### ***Pedestrian Safety***

**64-65.** A splay extending 2m from the driveway edge along the front boundary and 2.5m from the boundary along the driveway in accordance with Figure 3.3 of AS2890.1 shall be provided to give clear sight lines of pedestrians from vehicles exiting the site. This shall be illustrated on plans submitted with the construction certificate and not be compromised by the landscaping, signage fences, walls or display materials.

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

### ***Construction Traffic Management Plan***

**65-66.** 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;

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.

#### **Loading Dock Management Plan**

66-67. Prior to the issue of the relevant construction certificate the applicant must submit a Loading Dock Management Plan to the satisfaction of Council's Traffic Services Manager and the Transport for NSW: Sydney Coordination Office. The Plan must achieve the following requirements:

- All loading and servicing is to be conducted on-site.

- Adequate, provision of loading bays to be provided within the site, 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.

## Trees and Landscaping

### ***Planting Upon Structure***

**67-68.** The following must be provided with the relevant application for a Construction Certificate to the satisfaction of the Certifying Authority:

- Construction details showing substrate depth, drainage, waterproofing for all planting on structures, including planting over stormwater tanks, raised planters and rooftop gardens are to be provided by a suitably qualified structural engineer.
- A specification for the 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) to be provided by a suitably qualified Landscape Architect/Designer for all proposed tree plantings with an expected mature height of five (5) metres or greater.
- A specification ('Fit-for-purpose' performance description) for soil type and maintenance schedule specified by a suitably qualified Soil Scientist, to ensure sufficient nutrient and water availability is achieved which must be specific to the tree species proposed must be provided by a suitably qualified Soil Scientist.
- Tree planting densities shall not exceed the prescribed soil volume and area required for plant type and certification must be provided by a suitably qualified Landscape Architect/Designer.
- Planter boxes located over stormwater tanks and/or podium slabs are to have a minimum depth of 600mm for the planting of shrubs and/or trees, and a minimum of 300mm depth for turf/groundcovers proposed.

**Reason:** To ensure the creation of functional gardens.

### ***Statement on specific tree protection***

**69.** A Methodology Statement, prepared by a suitably qualified arborist (Australian Qualification Framework Level 5) ('Project Arborist'), must accompany the application for a Construction Certificate. This statement is to identify the measures to be implemented for protection of trees numbered 11, 12 and 13, as specified in the Arborist Report prepared by Earthscape Horticultural Services dated October 2017, sections 9 and 10, during demolition and construction.

The statement is to be structured so that each of the following stages of construction are individually addressed and supervised by the Project Arborist during construction and certification is to be provided to the Certifying Authority upon completion:

- Demolition and Excavation;
- Canopy trunk and tree root protection;
- Any construction, including pile drilling or installation of services required within the Tree Protection Zones;
- Canopy pruning, specified and supervised by the Project Arborist;
- Any restoration or back filling required.

**Reason:** To ensure adequate protection of existing trees located on adjoining properties.

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## **Prior to Work Commencing**

### **Planning**

#### ***Appointment of PCA***

**68-70.** Prior to commencement of work, the person having the benefit of the Development Consent

and Construction Certificate approval must:

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

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

**Reason:** To comply with legislative requirements.

#### ***Enclosure of the Site***

~~69-71~~ 70-72. 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***

~~70-72~~ 71-73. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 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.

This condition does not apply where works are being carried.

**Reason:** Statutory requirement.

#### ***Toilet Facilities On Site***

~~71-73~~ 72-74. Prior to work commencing, adequate toilet facilities are to be provided on the work site.

**Reason:** To ensure adequate toilet facilities are provided.

#### ***Public liability Insurance***

~~72-74~~ 73-75. Public risk insurance in the amount of not less than \$20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:

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

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

#### ***Footings and Walls Near Boundaries***

**73-75.** 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.

#### **Survey Report**

**74-76.** A survey certificate is to be submitted to the Principal Certifying Authority at footing and/or formwork stage. The certificate must indicate the location of the building in relation to all boundaries, and must confirm the floor level is consistent with that approved under this consent prior to any further work proceeding on the building.

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

#### **Section 73 Certificate**

**75-77.** A Section 73 Compliance Certificate under the *Sydney Water Act 1994* must be obtained from Sydney Water prior to commencement of work.

It is recommended that applicants apply early for the certificate, as there may be water and sewer pipes to be built and this can take some time. This can also impact on other services and building, driveway or landscape design.

The existing 150mm water main fronting the site on George Street cannot service buildings higher than 8 storeys. An upsizing of this main will be required to service the proposed hotel.

A lead-in sewer from the property to existing 225mm sewer of 83 George Street will need to be constructed to service this development. The lead-in sewer should be designed according to current WSA Code – Sydney Water Edition or Sydney Water's Flow Scheduling Sheet.

Application must be made through an authorised Water Servicing Coordinator. For help either visit [www.sydneywater.com.au](http://www.sydneywater.com.au) > Plumbing, building and developing > Developing > Land development or telephone 13 20 92.

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

#### **Sydney Water Tap In**

**76-78.** The approved plans must be submitted to the Sydney Water [Tap in™](#) online service to determine whether the development will affect any Sydney Water sewer or water main, stormwater drains and/or easement, and if further requirements need to be met.

The Sydney Water [Tap in™](#) online self-service replaces our Quick Check Agents as of 30 November 2015.

The [Tap in™](#) service provides 24/7 access to a range of services, including:

- building plan approvals
- connection and disconnection approvals
- diagrams
- trade waste approvals
- pressure information
- water meter installations
- pressure boosting and pump approvals
- changes to an existing service or asset, e.g. relocating or moving an asset.

Sydney Water's [Tap in™](#) online service is available at:

<https://www.sydneywater.com.au/SW/plumbing-building-developing/building/sydney-water-tap-in/index.htm>



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

## Engineering

### **Road Opening Permits**

**77-79.** The applicant must apply for a road-opening permit where a new pipeline is proposed to be constructed within or across Council owned land. Additional road opening permits and fees may be necessary where connections to public utilities are required (e.g. telephone, electricity, sewer, water or gas).

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

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

### **Dilapidation Survey & Report for Private Properties**

**78-80.** Prior to the commencement of any excavation works on site, the applicant must submit for approval by the Principal Certifying Authority (with a copy forwarded to Council) a dilapidation report on the visible and structural condition of all neighbouring structures within the 'zone of influence' of the excavation face to a depth of twice that of the excavation.

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

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

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

**Reason:** Management of records.

### **Geotechnical Report**

**79-81.** Prior to the commencement of any excavation works on site the applicant must submit, for approval by the Principal Certifying Authority (PCA), a geotechnical/civil engineering report which addresses (but is not limited to) the following:

- (a) The type and extent of substrata formations. A minimum of 4 representative bore hole logs which are to provide a full description of all material from the ground surface to a minimum of 1.0m below the finished basement floor level. The report is to include the location and description of any anomalies encountered in the profile, and the surface and depth of the bore hole logs shall be to Australian Height Datum.
- (b) Having regard to the findings of the bore hole testing, details of the appropriate method of excavation/shoring together with the proximity to adjacent property and structures can be ascertained. As a result potential vibration caused by the method of excavation and how it will impact on nearby footings/foundations must be established together with methods to ameliorate any impact.
- (c) The proposed methods for temporary and permanent support required by the extent of excavation can be established.
- (d) The impact on groundwater levels in relation to the basement structure.
- (e) The drawdown effects if any on adjacent properties (including the road reserve), resulting from the basement excavation will have on groundwater together with the appropriate construction methods to be utilised in controlling groundwater.

Where it is considered there is potential for the excavation to create a "dam" for natural groundwater flows, a groundwater drainage system must be designed to transfer



groundwater through or under the proposed development. This design is to ensure there is no change in the range of the natural groundwater level fluctuations. Where an impediment to the natural flow path of groundwater results, artificial drains such as perimeter drains and through drainage may be utilised.

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

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

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

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

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

#### ***Erosion and Sediment Control Measures***

**80-82.** 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***

**84-83.** 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***

**82-84.** 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***

**83-85.** Unless otherwise specifically approved in writing by Council, all works, processes, storage of materials, loading and unloading associated with the development are to occur entirely within the property boundaries. The applicant, owner or builder must apply for specific permits if the following activities are required seeking approval pursuant to Section 138 of the Roads Act 1993:

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

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

**Reason:** Proper management of public land.

***Driveway Crossing Application***

**84-86.** All works associated with the construction and/or extension of a driveway crossover/layback within Council owned land requires an application to be lodged and approved by Council.

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

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

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

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

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

**Existing Damage to Public Infrastructure**

**85-87.** 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.

**Reinforced Concrete Pipe Work**

**86-88.** Details of the proposed reinforced concrete pipe-work and the kerb inlet pit within George Street shall be submitted to, and approved by, Council's Manager Civil Infrastructure prior to commencement of any work.

**Reason:** To ensure adequate stormwater infrastructure is provided.

**Environmental Health**

**Asbestos Hazard Management Strategy**

**87-89.** 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.

**Hazardous Material Survey**

**88-90.** 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.

**Waste Management Plan – Demolition**

**89-91.** 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.

## Trees and Landscaping

### ***Pruning/Works on Trees***

#### ***Tree Protection as per Arborist Report***

92. The trees identified for protection within the consent shall be protected prior to and during the demolition/construction process in accordance with the Arboricultural Impact Assessment and Tree Protection Plan prepared by Earthscape Horticultural Services dated October 2017 and the conditions of consent.

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

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## **During Work**

### **Planning**

#### ***Copy of Development Consent***

- 90-93. 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***

- 91-94. 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.

#### ***Materials on Drainage Line***

- 92-95. Stockpiles of topsoil, sand, aggregate, soil or other material are not to be located on any drainage line or easement, natural watercourse, footpath or roadway and shall be protected with adequate sediment controls.

**Reason:** To ensure that building materials are not washed into stormwater drains.

#### ***Hours of Work and Noise***

- 93-96. 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***

- 94-97. 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)   | time of the complaint;        | The date and |
| ii)  | which the complaint was made; | The means by |
| iii) |                               | Any personal |

- |     |  |                  |
|-----|--|------------------|
|     | details of the complainants that were provided, or if no details were provided, a note to that affect;           |                  |
| iv) | complaints;  | Nature of the    |
| v)  | taken by the applicant in relation to the complainant, including any follow up contact with the complainant; and | Any action(s)    |
| vi) | taken by the applicant in relation to the complaint, the reason(s) why no action was taken.                      | If no action was |

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.

## Endeavour Energy

### ***Electrical Infrastructure Access***

**95-98.** Access to the existing electrical infrastructure adjacent and on the site must be maintained at all times. To ensure that supply electricity is available to the community, access to the electrical assets may be required at any time.

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

## Engineering

### ***Erosion & Sediment Control Measures***

**96-99.** 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***

**97-100.** 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.

### ***Car Parking & Driveways***

**98-101.** 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.

### ***Vehicle Egress Signs***

**99-102.** Appropriate signage must be erected at the vehicle egress points to compel all vehicles to stop before proceeding onto the public way.

**Reason:** To ensure pedestrian safety.

### ***Nomination of Engineering Works Supervisor***

**100-103.** 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.

## Environmental Health

### ***Remediation Contact Details***

~~404~~-104. 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***

~~402~~-105. 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***

~~403~~-106. 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.

#### ***Handled and Disposed of by Licensed Facility***

~~404~~-107. 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***

~~405~~-108. 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***

~~406~~-109. 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.

#### ***Disposal of Material at Licensed Landfill***

~~407~~-110. 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.

#### ***Dust Control***

~~408~~-111. 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***

~~409~~-112. 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**

~~110-113.~~ 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.

#### **Liquid and Solid Wastes**

~~111-114.~~ Liquid and solid wastes generated on site shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2005 and in accordance with the Environment Protection Authority's Waste Tracking Guidelines as described in the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999).

**Reason:** To prevent pollution of the environment.

### Traffic

#### **Occupation of any part of Footpath/Road**

~~112-115.~~ 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**

~~113-116.~~ Oversize vehicles using local roads require Council's approval. The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through Council's Traffic and Transport Services, prior to driving through local roads within Parramatta LGA.

**Reason:** To ensure maintenance of Council's assets.

### Trees and Landscaping

#### **Tree Removal**

~~114-117.~~ All approved tree removal must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist in accordance with the provisions of the [Safe Work Australia Guide to managing risks of tree trimming and removal work](#). ~~Draft Tree Work Code of Practice 2007.~~

~~**Reason:** To ensure works are carried out in accordance with the Draft Tree Work Code of Practice 2007. To ensure works are carried out in accordance the Safe Work Australia Guide to managing risks of tree trimming and removal work.~~

#### **Tree Pruning**

~~118.~~ All pruning must be supervised by an Australian Qualification Framework (AQF) Level 3 Arborist and confirm to the provisions of AS4373-2007 "Pruning Amenity Trees", and the [Safe Work Australia Guide to managing risks of tree trimming and removal work](#).

~~**Reason:** To ensure the pruning will not adversely affect the tree(s).~~

#### **Material Storage and Trees**

~~119.~~ No materials (including waste and soil), equipment, structures or goods of any type are to be stored, kept or placed within 5m of the trunk of a tree or within the drip line of any tree.

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

#### **No Attachments to Trees**

~~120.~~ No service, structure, conduit or the like is permitted to be fixed or attached to any tree.

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

#### Tree Removal

121. Trees to be removed are:

| Tree No. | Species                  | Common Name | Location                 |
|----------|--------------------------|-------------|--------------------------|
| 1        | <i>Syzygium australe</i> | LillyPilly  | Refer to Arborist Report |
| 2        | <i>Syzygium australe</i> | LillyPilly  | Refer to Arborist Report |
| 3        | <i>Syzygium australe</i> | LillyPilly  | Refer to Arborist Report |
| 5        | <i>Syzygium australe</i> | LillyPilly  | Refer to Arborist Report |
| 7        | <i>Syzygium australe</i> | LillyPilly  | Refer to Arborist Report |
| 9        | <i>Syzygium australe</i> | LillyPilly  | Refer to Arborist Report |
| 10       | <i>Melia azedarach</i>   | White Cedar | Refer to Arborist Report |

**Reason:** To facilitate development.

### Public Domain

#### Prior to the Commencement of Construction in Public Domain

115-122. The certifying authority is to confirm the ground floor slab levels, including finishes, finish flush with existing public domain as per the approved Public Domain Alignment Drawings

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

#### Public Domain Inspections

116-123. 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.

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

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

#### ***Public Area Works Supervision***

~~117-124.~~ During construction of all public area civil and drainage works a qualified civil engineer must supervise the work to ensure it is completed in accordance with Council's Public Domain Guidelines. Certification is required to be provided with the Occupation Certificate.

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

### **Prior to the issue of an Occupation Certificate**

#### **Planning**

##### ***Occupation Certificate***

~~118-125.~~ 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.

##### ***Record of Inspections Carried Out***

~~119-126.~~ In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority responsible for the critical stage inspections must make a record of each inspection as soon as practicable after it has been carried out. The record must include:

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

**Reason:** To comply with stator requirements.

##### ***The Release of Bond(s)***

~~120-127.~~ 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.

##### ***Certification – Fire Safety***

~~124-128.~~ 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.

### **Street Numbering**

~~122-129.~~ An application for street numbering must be lodged with Council for approval, prior to the issue of an Occupation Certificate.

**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**

~~123-130.~~ 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.

### **Broadband Access**

~~124-131.~~ 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](mailto:newdevelopments@nbnco.com.au)  
Web: [www.nbnco.com.au/NewDevelopments](http://www.nbnco.com.au/NewDevelopments).

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

### **Provision of Telephone Services**

~~125-132.~~ 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 an Occupation Certificate.

**Reason:** To ensure appropriate telephone services are provided.

### **Hotel Plan of Management**

~~126-133.~~ Prior to the issue of an Occupation Certificate, the applicant shall develop a Hotel Management Plan which includes the following:

- How amenity impacts on adjoining/nearby residents will be minimised;
- How complaints will be logged and resolved;
- Details of how guest arrival by private vehicle will be minimised (i.e. How public transport will be promoted to guests);

Details demonstrating compliance shall be submitted to the satisfaction of the Certifying Authority. A copy of the plan shall be submitted to Council.

**Reason:** To ensure that residents have access to communal facilities.

### **Certification – Artwork**

~~127-134.~~ Final documentation including details of fabrication and installation of the public art work, including a maintenance schedule, must be submitted and approved by Council and the art work completed in full and installed to the satisfaction of Council prior to the issue of the final Occupation Certificate.

**Reason:** To comply with Development control requirements.

### **All Works/Methods/Procedures/Control Measures**

~~128-135.~~ 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 approved by Council in the specialist reports listed in Condition 1 have been implemented.

**Reason:** To demonstrate compliance with submitted reports.

## Design Excellence

### ***Design Jury Review***

~~429-136.~~ Council's Design Competition Panel (Design Excellence Jury) shall review and comment on the development prior to the issue of ~~the final~~ Occupation Certificate to ensure design integrity. Where the Jury identifies matters which are not satisfactory, resolution to shall be required prior to the issue of the Certificate.

**Reason:** To ensure the proposal achieves design excellence.

## Endeavour Energy

### ***Provision of Endeavour Energy Services***

~~430-137.~~ 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.

## Engineering

### ***Reinstatement of Laybacks***

~~434-138.~~ 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 Evacuation Management Plan***

~~432-139.~~ A Flood Evacuation Management Plan (FEMP) shall be prepared by an appropriately qualified consulting engineer. This report is to demonstrate how the occupants of the development will egress the site in the early stages of a storm event, together with how they will seek refuge in a peak stormwater event (i.e. first floor of the building). The FEMP shall be submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. A copy of the FEMP shall be attached to the Occupation Certificate when forwarded to Council. A copy of the FEMP shall be kept on site at all times and distributed to all owners and operators.

**Reason:** To make property owners/residents aware of the procedure in the case of flood.

### ***Work-as-Executed Plan***

~~433-140.~~ 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 versus 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.

### ***Positive Covenant for Water Treatment Devices***

~~434-141.~~ 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 and stormwater quality treatment systems 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 stormwater facilities.

#### ***Post-Construction Dilapidation Report***

~~135-142.~~ 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.

### Environmental Health

#### ***Details of Commercial Contract for Collection***

~~136-143.~~ Prior to issue of the occupation certificate, the applicant shall enter into a commercial contract for the collection of trade wastes and recyclable materials arising from business operations on site. A copy of all-waste contracts and receipts shall be kept on site and made available to Council officers on request.

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

#### ***Food Premises Fitout***

~~137-144.~~ Certification to be provided to the principal certifying authority (PCA), prior to occupation, that the fit-out of the food premises has been completed in accordance with plans complying with food safety standards prescribed under the Food Act 2003, and the requirements of Australian Standard AS 4674 - 2004.

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

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

#### ***Food Premises Ventilation***

~~138-145.~~ Prior to the use commencing, a multi-stage air filtration unit be incorporated in the mechanical exhaust ventilation system due to topography of the land, the prevailing weather conditions and the proximity of the structure in relation to other buildings adjacent to the site.

- (a) The design, construction and installation of all duct work to be in accordance with the requirements of Clause 7.5 of Australian Standard AS 1668.2-2012 (Fire and Smoke Control - Kitchen Hood Exhaust Systems).
- (b) The design, manufacture and installation of exhaust hoods to be in accordance with the

requirements of Appendix E of Australian Standard AS 1668.2- 2012 (Kitchen Exhaust Hoods).

The air filtration system is to retain a minimum of 90 per cent of total smoke and a minimum of 95 per cent of oil and fat discharged by the cooking process. In this regard, details of filtration data, including details of the efficiency of each stage of the filtration system and fan unit details are to be documented and kept on site;

The multi stage air filtration unit must be fitted with a self-actuating by-pass in the odour absorption filter stage and be provided with air filters, differential pressure gauges as well as electrical interlocks to prevent use of the system unless all filter stages are in place.

**Reason:** To control offensive emissions and ensure the protection of the environment.

#### **Waste Storage Rooms**

~~139-146.~~ 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.

#### Office of Environment and Heritage (Archaeology)

##### **Compliance with Archaeology Approvals**

~~140-147.~~ All conditions of consent issued under a S140 approval will be complied with prior to the issuing of an occupation certificate for the building.

**Reason:** To ensure the development is in accordance with the Heritage Act 1977.

#### Public Domain

##### **Public Domain Works-as-Executed**

~~141-148.~~ Prior to **any issue** of the Occupation Certificate (including a Preliminary OC), the works outlined in the approved Public Domain Construction Drawings must be completed to Council's satisfaction with a **final approval** obtained from Council's Assets & Environment Manager.

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

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

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

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

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

#### Traffic

#### **Green Travel Plan**

~~142-149.~~ A Green Travel Plan for the hotel use, to promote non-private vehicle transport for employees and visitors, is to be submitted to the satisfaction of the Certifying Authority and a copy provided to Council prior to the issue of the final Occupation Certificate.

**Reason:** To discourage trips by private vehicle.

#### **Driveway Crossover**

~~143-150.~~ Prior to the issue of any Occupation Certificate, an application is required to be obtained from Council for any new, reconstructed or extended sections of driveway crossings between the property boundary and road alignment.

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

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

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

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

**Reason:** Pedestrian and Vehicle safety.

### Trees and Landscaping

#### **Tree Planting Container Size**

~~144-151.~~ 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**

~~145-152.~~ 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

#### Planning

#### **Ancillary Use Only**

~~146-153.~~ The bar (mezzanine level), restaurant (level 1), ballroom (level 2), pool/gym (level 3), and roof terrace (level 22) are to operate as ancillary uses to the approved hotel use (i.e. not be run by a separate operator, not be advertised as separate uses, used primarily by hotel guests) unless otherwise approved by Council.

**Reason:** To ensure the use is operated in accordance with the application.

#### **Ancillary Hotel Operations**

~~147-154.~~ The bar (mezzanine level), restaurant (level 1), ballroom (level 2), pool/gym (level 3), and roof terrace (level 22) ancillary to the primary hotel use are restricted to hours of operation of 8:00am to 11:00pm daily, unless approved otherwise by Council under a separate application.

**Reason:** To minimise the impact of the use on adjoining properties.

#### **Plan of Management Compliance**

~~148-155.~~ The Hotel Plan of Management required by this consent shall be adhered to at all times.

**Reason:** To ensure appropriate use of the site.

#### **Separate Approval for Public Entertainment**

~~149-156.~~ Any use of the premises as a Place of Public Entertainment requires separate approval from Council.

**Reason:** To protect the amenity of the area.

#### **Servicing Hours**

~~150-157.~~ Hotel deliveries/servicing shall not occur between the hours of 6:00pm and 6:00am daily unless otherwise approved by Council.

**Reason:** To protect the amenity of the area.

#### **Graffiti Management**

~~151-158.~~ 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.

#### **Garbage Collection**

~~152-159.~~ All garbage collection must occur on site (i.e. off-street).

**Reason:** To minimise impact on the road network.

#### **Signage Consent**

~~153-160.~~ No advertisement or signage shall be erected on, or in conjunction with the development without prior consent. No digital displays are to be installed behind the shop display or otherwise.

**Reason:** To comply with legislative controls.

#### **Ground Level Appearance**

~~154-161.~~ 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**

~~155-162.~~ No goods are to be stored/displayed outside the walls of the building.

**Reason:** To ensure visual amenity.

### **Environmental Health**

#### **Offensive Noise/Vibration Restriction**

~~156-163.~~ All plant, operations and use of the building hereby approved shall comply with the following standards:

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

Environmental Noise Control Manual, Industrial Noise Policy 2000 and the Protection of the Environment Operations Act 1997.

**Reason:** To prevent loss of amenity to the area.

***Patron Noise Control***

~~157-164.~~ The proprietors of the venue shall be responsible at all times for the orderly dispersal of patrons from the venue.

**Reason:** To protect the amenity of the surrounding neighbourhood.

***No Live Music***

~~158-165.~~ No live music or entertainment shall be provided within the premises unless otherwise approved by Council.

**Reason:** To protect the amenity of the surround neighbourhood.

***Noise from Mechanical Equipment***

~~159-166.~~ 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.

***Noise to Street***

~~160-167.~~ There are to be no external speakers at the premises.

**Reason:** To prevent loss of amenity to the area.

***Noise from Customers***

~~161-168.~~ Security personnel licensed under the Security Industry Act 1997 shall be engaged by the licensee to patrol the area to ensure that patrons do not cause nuisance, or annoyance to the quiet and good order of the neighbourhood.

**Reason:** To protect the amenity of the area.

***Neighbourhood Amenity near Licensed Premises***

~~162-169.~~ Signs must be placed in clearly visible positions within the hotel requesting patrons upon leaving the premises to do so quickly and quietly, having regard to maintaining the amenity of the area.

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

**Reason:** To prevent loss of amenity to the area.

***Separate Waste Bins***

~~163-170.~~ Separate waste bins are to be provided on site for landfill and recyclable waste.

**Reason:** To provide for the appropriate collection/ recycling of waste from the building.

***Putrescible Waste***

~~164-171.~~ All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.

**Reason:** To ensure provision of adequate waste disposal arrangements.

***Maintenance of Waste Storage Areas***

~~165-172.~~ All waste storage areas are to be maintained in a clean and tidy condition at all times.

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

***Waste Storage***

~~166-173.~~ Between collection periods, all waste/recyclable materials generated on site must be



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

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

#### ***Hazardous Materials Disposal***

~~467-174.~~ To reduce the risk of pollution to natural water courses all hazardous waste materials are to be stored, used and disposed in accordance with plans, detail and recommendations in the Waste Management Plan by The Mack Group dated 19/07/17.

**Reason:** To ensure that any liquid spills can be contained on site and prevent the contamination of stormwater drains.

#### ***Trade Waste***

~~468-175.~~ Trade waste water shall be disposed of in accordance with the permit requirements of Sydney Water Corporation Ltd, Wastewater Source Control Branch.

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

### Public Domain

#### ***Maintenance of Public Domain Works***

~~469-176.~~ A two-year (104 weeks) maintenance period, from the date of issue of the final Occupation Certificate, is required to be carried out by the applicant for all the works constructed in the public domain.

A Landscape maintenance schedule prepared by a qualified Landscape Architect shall be submitted to Council, prior to the issue of the final Occupation Certificate, that specifies after Council's final approval who and how to maintain the public domain works during the 104 weeks.

**Reason:** To ensure the required public domain improvements are maintained.

### Sustainability

#### ***Green Star Reporting***

~~470-177.~~ The applicant will undertake a formal Green Star Design and As Built rating within 18 months of practical completion and submit the results to the City of Parramatta.

**Reason:** To ensure sustainable development outcomes are achieved.

#### ***NABERS Reporting***

~~471-178.~~ The applicant will undertake a formal NABERS Energy Rating within 18 months of building occupation, and submission of the rating result to the City of Parramatta.

**Reason:** To ensure sustainable development outcomes are achieved.

### Traffic

#### ***Green Travel Plan***

~~472-179.~~ The Green Travel Plan, required by these conditions, shall be displayed at all times through the employee-only areas of the hotel.

**Reason:** To discourage trips by private vehicle.

### Trees and Landscaping

#### ***Maintenance of Site Works***

~~473-180.~~ All landscape works shall be maintained for a minimum period of two (2) years following the issue of a Final Occupation Certificate, in accordance with the approved landscape plan and conditions

**Reason:** To ensure restoration of environmental amenity.

### Advisory Note

#### ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the *Environmental Planning and Assessment Act 1979* Environmental Planning and Assessment Regulation 2000, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 4.17 of the Act.

- A tree application has been submitted and approved for the removal of tree/s located along the boundary of the neighbouring property at No. 91 George Street, Parramatta (TA/348/2018) to facilitate the development approved by this Consent. To ensure continued safety to persons and property, it is recommended that these tree works are completed prior to the issue of the Construction Certificate. Excavation on the subject site prior to removal of the trees may destabilise the trees and cause the trees to fail.

<https://www.sydneymetro.info/west/project-overview>

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