

## APPENDIX 1 - DRAFT CONDITIONS OF CONSENT

### CONDITIONS PREPARED BY COUNCIL

#### General Matters

##### Planning

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

Drawing No.	Description	Prepared By	Dated
DA-A-6-0040 Rev.04	Cover Sheet & Drawing List	JPW Architects	26-11-18
DA-A-6-0060 Rev.04	Site Plan	JPW Architects	26-11-18
DA-A-6-0075 Rev.04	Alignment Plan – Ground Floor	JPW Architects	26-11-18
DA-A-6-0076 Rev.04	Alignment Plan – Upper Ground	JPW Architects	26-11-18
DA-A-6-0077 Rev.04	Alignment Sections – Ground Floor & Podium 1	JPW Architects	26-11-18
DA-A-6-0078 Rev.04	Alignment Sections – Ground Floor & Podium 1	JPW Architects	26-11-18
DA-A-6-0079 Rev.04	Alignment Sections - Ground Floor & Podium 1 - Church Street	JPW Architects	26-11-18
DA-A-6-0080 Rev.04	Alignment Sections - Ground Floor & Podium 1	JPW Architects	26-11-18
DA-A-6-0081 Rev.04	Alignment Sections - Ground Floor & Podium 1	JPW Architects	26-11-18
DA-A-6-0501 Rev.04	Precinct Plan Basement Level B4	JPW Architects	26-11-18
DA-A-6-0502 Rev.04	Precinct Plan Basement Level B3	JPW Architects	26-11-18
DA-A-6-0503 Rev.04	Precinct Plan Basement Level B2	JPW Architects	26-11-18
DA-A-6-0504 Rev.04	Precinct Plan Basement Level B1	JPW Architects	26-11-18
DA-A-6-0505 Rev.04	Precinct Plan Basement Level B1 Mez	JPW Architects	26-11-18
DA-A-6-0510 Rev.04	Precinct Plan Lower Ground (Plaza)	JPW Architects	26-11-18
DA-A-6-0511 Rev.04	Precinct Plan Upper Ground (Lobby)	JPW Architects	26-11-18

Drawing No.	Description	Prepared By	Dated
DA-A-6-0520 Rev.04	DA 47/2018 Work - Lower Ground (Plaza)	JPW Architects	26-11-18
DA-A-6-0521 Rev.04	DA 47/2018 Work - Upper Ground (Lobby)	JPW Architects	26-11-18
DA-A-6-0530 Rev.04	Precinct Site Access Lower Ground (Plaza)	JPW Architects	26-11-18
DA-A-6-0531 Rev.04	Precinct Site Access Upper Ground (Lobby)	JPW Architects	26-11-18
DA-A-6-0540 Rev.04	Vehicle Access Plan Lower Ground (Plaza)	JPW Architects	26-11-18
DA-A-6-1001 Rev.04	Basement Level B4	JPW Architects	26-11-18
DA-A-6-1002 Rev.04	Basement Level B3	JPW Architects	26-11-18
DA-A-6-1003 Rev.04	Basement Level B2	JPW Architects	26-11-18
DA-A-6-1004 Rev.04	Basement Level B1	JPW Architects	26-11-18
DA-A-6-1005 Rev.04	Basement Level B1 Mezzanine	JPW Architects	26-11-18
DA-A-6-1010 Rev.04	Public Domain Lower Ground (Plaza)	JPW Architects	26-11-18
DA-A-6-1011 Rev.04	Public Domain Upper Ground (Lobby)	JPW Architects	26-11-18
DA-A-6-1012 Rev.04	Podium Level 01 Sky Lobby	JPW Architects	26-11-18
DA-A-6-1014 Rev.04	Podium Level 03 Plant	JPW Architects	26-11-18
DA-A-6-1021 Rev.04	Campus Level 01 (Plant)	JPW Architects	26-11-18
DA-A-6-1022 Rev.04	Campus Level 02 (Low Rise)	JPW Architects	26-11-18
DA-A-6-1023 Rev.04	Campus Level 3-5 (Low Rise)	JPW Architects	26-11-18
DA-A-6-1026 Rev.04	Campus Level 6-12 (Low Rise Typical)	JPW Architects	26-11-18
DA-A-6-1033 Rev.04	Campus Level 13-14 (Low Rise Transfer)	JPW Architects	26-11-18
DA-A-6-1035 Rev.04	Campus Level 15-16 (High Rise- Terrace/LMR)	JPW Architects	26-11-18
DA-A-6-1037 Rev.04	Campus Level 17-18 (High Rise-Terrace)	JPW Architects	26-11-18

Drawing No.	Description	Prepared By	Dated
DA-A-6-1039 Rev.04	Campus Level 19-20 (High Rise-Terrace)	JPW Architects	26-11-18
DA-A-6-1041 Rev.04	Campus Level 21-25 (High Rise-Typical)	JPW Architects	26-11-18
DA-A-6-1044 Rev.04	Campus Level 26-27 (Plant)	JPW Architects	26-11-18
DA-A-6-1046 Rev.04	Tower Level 28-35 (Low Rise Typical)	JPW Architects	26-11-18
DA-A-6-1056 Rev.04	Tower Level 36-38 (Low Rise/High Rise Transfer)	JPW Architects	26-11-18
DA-A-6-1059 Rev.04	Tower Level 39-49 (High Rise-Typical)	JPW Architects	26-11-18
DA-A-6-1070 Rev.04	Tower Level 50 (Function/Office)	JPW Architects	26-11-18
DA-A-6-1071 Rev.04	Tower Level 51	JPW Architects	26-11-18
DA-A-6-1072 Rev.04	Tower Level 52 (Plant)	JPW Architects	26-11-18
DA-A-6-1080 Rev.04	Tower Roof	JPW Architects	26-11-18
DA-A-6-2000 Rev.04	General Arrangement Elevation North – Parramatta Square	JPW Architects	26-11-18
DA-A-6-2001 Rev.04	General Arrangement Elevation East	JPW Architects	26-11-18
DA-A-6-2002 Rev.04	General Arrangement Elevation South – Darcy Street	JPW Architects	26-11-18
DA-A-6-2003 Rev.04	General Arrangement Elevation West	JPW Architects	26-11-18
DA-A-6-3000 Rev.04	East-West Section XDN	JPW Architects	26-11-18
DA-A-6-3010 Rev.04	North-South Section X01W	JPW Architects	26-11-18
DA-A-6-3015 Rev.04	North-South Section X02W	JPW Architects	26-11-18
DA-A-6-4400 Rev.04	Podium Elevations Church Street and Town Hall	JPW Architects	26-11-18
DA-A-6-4401 Rev.04	Podium Elevation Parramatta Square and Darcy Street	JPW Architects	26-11-18
DA-A-6-4410 Rev.04	Podium Elevation North	JPW Architects	26-11-18
DA-A-6-4411 Rev.04	Podium Elevation North	JPW Architects	26-11-18

Drawing No.	Description	Prepared By	Dated
DA-A-6-4415 Rev.04	Podium Elevation South	JPW Architects	26-11-18
DA-A-6-4416 Rev.04	Podium Elevation South	JPW Architects	26-11-18
DA-A-6-4420 Rev.04	Podium Elevation West – Church Street	JPW Architects	26-11-18
DA-A-6-4430 Rev.04	East-West Section Church Street	JPW Architects	26-11-18
DA-A-6-4435 Rev.04	Podium Elevation East	JPW Architects	26-11-18
DA-A-6-4436 Rev.04	North-South Section Grid 64-63	JPW Architects	26-11-18
DA-A-6-4437 Rev.04	North-South Section Grid 67-66	JPW Architects	26-11-18
DA-A-6-4438 Rev.04	North-South Section Grid 70-69	JPW Architects	26-11-18
DA-A-6-4448 Rev.04	Facade Detail Podium Screen 01	JPW Architects	26-11-18
DA-A-6-4450 Rev.04	Facade Detail Podium Screen 02	JPW Architects	26-11-18
DA-A-6-4460 Rev.04	Facade Detail Tower Facade Type 01	JPW Architects	26-11-18
DA-A-6-4461 Rev.04	Facade Detail Tower Facade Type 02	JPW Architects	26-11-18
DA-A-6-4470 Rev.04	Facade Detail Campus Facade Type 03	JPW Architects	26-11-18
DA-A-6-5201 Rev.04	Area Diagram GFA	JPW Architects	26-11-18
DA-A-6-5205 Rev.04	Area Schedule	JPW Architects	26-11-18
DA-A-6-7000 Rev.04	Daylight Penetration Diagrams	JPW Architects	26-11-18
DA-A-6-7500 Rev.04	Tower Façade Shading Studies	JPW Architects	26-11-18
DA-A-6-7550 Rev.04	Podium Shadow Studies – December 22 – 12:00PM	JPW Architects	26-11-18
DA-A-6-7551 Rev.04	Podium Shadow Studies – December 22 – 13:00PM	JPW Architects	26-11-18
DA-A-6-7552 Rev.04	Podium Shadow Studies – December 22 – 14:00PM	JPW Architects	26-11-18
DA-A-6-7553 Rev.04	Podium Shadow Studies – June 22 – 12:00PM	JPW Architects	26-11-18

Drawing No.	Description	Prepared By	Dated
DA-A-6-7554 Rev.04	Podium Shadow Studies – June 22 – 13:00PM	JPW Architects	26-11-18
DA-A-6-7555 Rev.04	Podium Shadow Studies – June 22 – 14:00PM	JPW Architects	26-11-18
DA-A-6-7556 Rev.04	Podium Shadow Studies – March / September 22 – 12:00PM	JPW Architects	26-11-18
DA-A-6-7557 Rev.04	Podium Shadow Studies – March / September 22 – 13:00PM	JPW Architects	26-11-18
DA-A-6-7558 Rev.04	Podium Shadow Studies – March / September 22 – 14:00PM	JPW Architects	26-11-18
DA-A-6-8060 Rev.04	Rendered Plan Lower Ground (Plaza)	JPW Architects	26-11-18
DA-A-6-8061 Rev.04	Rendered Plan Upper Ground	JPW Architects	26-11-18
DA-A-6-8062 Rev.04	Rendered Plan Podium 1	JPW Architects	26-11-18
DA-A-6-8100 Rev.04	Rendered Elevation North – Parramatta Square	JPW Architects	26-11-18
DA-A-6-8101 Rev.04	Rendered Elevation East	JPW Architects	26-11-18
DA-A-6-8102 Rev.04	Rendered Elevation South – Darcy Street	JPW Architects	26-11-18
DA-A-6-8103 Rev.04	Rendered Elevation West	JPW Architects	26-11-18
DA-A-6-8200 Rev.04	Rendered Perspective North-West (Day)	JPW Architects	26-11-18
DA-A-6-8201 Rev.04	Rendered Perspective North-West (Night)	JPW Architects	26-11-18
DA-A-6-8202 Rev.04	Rendered Perspective North-West (St Johns)	JPW Architects	26-11-18
DA-A-6-8203 Rev.04	Rendered Perspective Parramatta Square (Church Street)	JPW Architects	26-11-18
DA-A-6-8204 Rev.04	Rendered Perspective Parramatta Square (Civic Link)	JPW Architects	26-11-18
L02 Issue C	Overall Public Domain Plan	JMD design	19-10-18
Drawing C-6-1000 Rev.B	Cover Sheet	BG&E	31-05-18
Drawing C-6-1001 Rev.B	General Notes	BG&E	31-05-18
Drawing C-6-1010 Rev.C	General Arrangement Plan	BG&E	26-10-18

Drawing No.	Description	Prepared By	Dated
Drawing C-6-2001 Rev.B	Roadworks and Alignment Control Plan	BG&E	31-05-18
Drawing C-6-3001 Rev.B	Darcy Street Longitudinal Section	BG&E	31-05-18
Drawing C-6-3051 Rev.B	Darcy Street Cross Sections – Sheet 1	BG&E	31-05-18
Drawing C-6-3052 Rev.B	Darcy Street Cross Sections - Sheet 2	BG&E	31-05-18
Drawing C-6-3053 Rev.A	Darcy Street Cross Sections - Sheet 3	BG&E	31-05-18
Drawing C-6-4001 Rev.B	Stormwater Drainage Plan	BG&E	31-05-18
Drawing C-6-4101 Rev.B	Parramatta Square Precinct Catchment Plan	BG&E	31-05-18
Drawing C-6-4111 Rev.B	Drainage Longitudinal Section	BG&E	19-10-18
Drawing C-6-4131 Rev.A	Drainage Pit Schedule and Calculations	BG&E	31-05-18
Drawing C-6-4141 Rev.A	Roadworks and drainage details	BG&E	31-05-18
Drawing C-6-6001 Rev.A	Utility Coordination Plan	BG&E	31-05-18
Drawing C-6-7001 Rev.B	Concept Erosion and Sediment Control Plan	BG&E	31-05-18
Drawing C-6-7005 Rev.B	Erosion and Sediment Control Details	BG&E	31-05-18

Document	Prepared By	Dated
Statement of Effects	Walker Corporation	20-12-17
Clause 4.6 Exception to development standard in clause 7.8(2)(a) and (b)	Walker	10-08-18
Clause 4.6 Exception to development standard in clause 7.4(2)	Walker	26-11-18
DA Cost Estimate Report	WT Partnership	01-11-18
VPA Letter of Offer	Walker Corporation	18-12-17
Management Plan Framework Function Centre	Walker	28-06-18
Architectural Design Intent Statement Revision 04	JPW Architects	26-11-18
Supplementary Information report	JPW Architects	08-06-18
Visual Impact Assessment – DA 47/2018	JPW Architects	09-07-18

Document	Prepared By	Dated
Heritage Impact Statement	NBRS + Partners	19-12-17
Response to Heritage Review	NBRS + Partners	15-10-18
Heritage Peer Review	Urbis	19-10-18
Pedestrian Wind Environment Study – WB448-08F01(REV3)	Windtech	31-05-18
Solar Light Reflectivity Analysis - WB448-07F04(REV5)	Windtech	19-10-18
Microclimate Study – Revision 7	GWTS	30-10-18
Sustainability Development Application Report – Revision 2	WSP Australia Pty Ltd	14-12-17
NABERS Energy commitment agreement – effective until February 2023	NSW Government	NA
Façade Performance Targets Ref. 18005-FA-LT-001(0)	Prism Facades	19-10-18
Transport Impact Assessment – Revision C	WSP Australia Pty Ltd	19-12-17
Revised transport assessment - Memo	ARUP	06-07-18
Memo Pedestrian Impact Assessment – REF. 2271242A-ITP-MEM-5 RevA	WSP Australia Pty Ltd	22-11-18
Public Domain Pedestrian Impact Assessment – Revision B	WSP	03-05-18
Crime Prevention through Environmental Design – Revision 003	WSP Australia Pty Ltd	14-12-17
Social Impact Assessment – Revision B	WSP Australia Pty Ltd	11-12-17
Arts Plan	JPW Architects	00-12-17
Building Code of Australia Report – Revision B	McKenzie Group	08-12-17
Accessibility Design Review	McKenzie Group	19-12-17
Fire Engineering DA Support Letter	WSP Australia Pty Ltd	15-12-17
Electrolysis Testing at 4-8 Parramatta Square	Corrosion Control Engineering	20-12-17
DA Report – Structural Engineering – Revision 2	WSP Australia Pty Ltd	13-12-17
Existing Infrastructure Services Report – Revision 5	WSP Parsons Brinkerhoff	23-09-15
Civil Infrastructure Report - Revision A	BG&E	19-12-17
Consultant's advice – amended electrical demand	WSP Australia Pty Ltd	09-10-17
Flood Risk Assessment Report – Revision 0	BG&E	19-12-17
Memo – Updated Flood Strategy + Appendix A and B	BG&E	24-05-18
Stormwater Management Plan Report – Revision A	WSP Australia Pty Ltd	15-12-17

Document	Prepared By	Dated
Response to DA RFI - Ref 2271242AAAA-HYD-MEM-00 Rev00 – stormwater	WSP Buildings Pty Ltd	23-05-18
Drains Model results prepared from Version 2018.06 (12 pages)	BG&E	Undated
Construction Management Plan – Version 04	CPB Contractors Pty Ltd	00-12-17
Noise and Vibration Impact Assessment Report – Revision 3	WSP Australia Pty Ltd	13-12-17
Operational Waste Management Plan – Revision C	Elephants Foot Waste Recycling Solutions Pty Ltd	18-12-17
Report on Geotechnical Investigation - Revision 1	Douglas Partners Pty Ltd	03-10-17
Report on Numerical Modelling – Revision 1	Douglas Partners Pty Ltd	03-10-17
Report on Groundwater Modelling – Revision 1	Douglas Partners Pty Ltd	03-10-17
Site Contamination Assessment Cover Advice PS2	JBS&G Australia Pty Ltd	04-06-15
Site Contamination Assessment Cover Advice PS5&6	JBS&G Australia Pty Ltd	25-06-15
Overarching Site Remedial Action Plan Development Stages 2 to 6 – Revision 0	JBS&G Australia Pty Ltd	05-06-15

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

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

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

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

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



It is acknowledged the developer intends to obtain staged Construction Certificates noting the staging as per the following:

- CC No.1 – Structure from Lower Ground Floor to underside of Level 28
- CC No.2 – Tower façade from Level 3 to Level 28
- CC No.3 – Services & base build fitout to Level 28
- CC No.4 - Structure from Level 28 to roof
- CC No.5 - Tower façade from Level 28 to roof
- CC No.6 – Services & base build fitout from Level 28 to roof
- CC No.7 - Podium façade
- CC No.8 – Darcy Street footpath pavements & finishes
- CC No.9 – External works (finishes & landscaping). Public Domain subject to separate DA.

Conditions within this Notice should be read as being applicable to the relevant Construction Certificate.

**Reason:** To ensure compliance with legislative requirements.

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.

5. 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.

6. The development is to be carried out in accordance with the requirements of the following authorities:

(a) In accordance with the conditions listed in Roads and Maritime Services Letter dated 17 July 2018 (Reference No. SYD18/00268/01 & SYD18/00270/01). (Attachment A to this Notice);

(b) In accordance with decision under the Airports (Protection of Airspace) Regulation 1996 dated 31 October 2018. (Attachment B to this Notice); and

(c) In accordance with advice provided by the Civil Aviation Safety Authority in letter dated 16 October 2018. (Attachment C to this Notice); and

(d) In accordance with the conditions listed in the Sydney Trains letter dated 22 June 2018. (Attachment D to this notice).

(e) In accordance with the conditions listed in the Transport for NSW letter dated 13 July 2018. (Attachment E to this notice).

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

7. The development is to be carried out in accordance with the Controlled Activity Approval of the Australian Department of Infrastructure and Regional Development (Reference No. 17/968) dated 31 October 2018.

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

8. No approval is given for the detailed design of the public domain areas as defined on plans DA-A-6-0520. A separate development application is required for such works. Future approvals will need to show appropriate integration between the public domain and the plans approved as part of this consent.

**Reason:** To ensure the proposal does not have an unacceptable impact on the public domain.

9. No approval is given for subdivision of the site. A separate development application is required for such works. The application shall include all appropriate easements, including those related to the encroachment of terraces and as required by other conditions of consent.

**Reason:** To ensure the development is in accordance with the terms of the application.

10. The atriums shown in the approved plans shall be retained in perpetuity.

**Reason:** To preserve the integrity of the architectural design of the building.

## Infrastructure & Civil Assets

### **Inspections for public domain and assets to be handed over to Council**

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

The required Council inspections include (but are not necessarily limited to) the following where applicable and apply to all **Council** and **privately certified** projects.

- Commencement of public domain works including tree protection measures installed and set out of tree pits;

- Subgrade and formwork 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 base completion and initial (indicative) setout of pavers, street fixtures and fittings as applicable to ensure compliance with the requirements of the public domain guidelines;
- Delivery of street trees to site. Trees shall be installed within 24hrs of delivery;
- Final defects inspection after all work has been completed to view paving sealant, tactile surface indicators, service lids, nature strip/vegetation/street trees and location of fixtures and fittings

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

#### Defects

Any defects raised by Council officers during the above construction and defects period inspections will be notified in writing. Defects may include incorrect location of elements, unsatisfactory construction techniques or finishes, or any other non-compliances with the approved plans and specifications or the public domain guidelines.

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

In addition, **all** construction works for stormwater systems to be handed over to Council must:

- (a) **prior to issue of a construction certificate** have a full set of plans stamped and approved by Council's Service Manager Civil Infrastructure; and
- (b) be inspected by Council's Catchment Management team in line with the schedule of inspections agreed to with Council **prior to any works commencing.**

Inspection of the works will be required (but not necessarily limited to) on the following stages:

- construction of the stormwater pipe prior to backfilling of trench
- construction of formwork to any drainage pits(s) prior to placement of concrete.
- construction of any formwork to concrete pavement, footpath, driveway, kerb & gutter etc. and prior to placement of concrete.

The stormwater drainage work is to comply with all other Special Notes – Conditions of Approval on Council stamped and approved drawings.

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

**Reason:** To facilitate the orderly development of the site.

### Sydney Trains

12. All excavation works with 25m of the rail corridor are to be supervised by a geotechnical engineer experience with such excavation projects.

**Reason:** To protect vital infrastructure.

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

**Reason:** To protect vital infrastructure.

14. Copies of any certificates, drawings or approvals given to or issued by Sydney Trains or Transport for NSW must be submitted to Council for its records.

**Reason:** To protect vital infrastructure.

15. Prior to the commencement of works and prior to the issue of the Occupation Certificate, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from the light rail operator Transdev and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.

**Reason:** To protect vital infrastructure.

16. A final acoustic assessment based on the final approved development is to be prepared in compliance with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads- Interim Guidelines" and submitted to Council. The assessment is to also address the PERL.

**Reason:** To protect vital infrastructure.

17. No metal ladders, tapes and plant/machinery, or conductive material are to be used within 6 horizontal metres of any live electrical equipment. This applies to the train pantographs and catenary, contact and pull-off wires of the adjacent tracks, and to any high voltage aerial supplies within or adjacent to the rail corridor.

**Reason:** To protect vital infrastructure.

18. Rainwater from the roof must not be projected and/or falling into the rail corridor and must be piped down the face of the building which faces the rail corridor.

**Reason:** To protect vital infrastructure.

19. No scaffolding or hoarding is to be used facing the rail corridor unless prior written approval has been obtained from the light rail operator. To obtain approval the proponent will be required to submit details of the scaffolding and hoarding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.

**Reason:** To protect vital infrastructure.

20. Prior to the undertaking of works or the issuing of a Construction Certificate (whichever occurs first), the Applicant must hold current public liability insurance cover for a sum to be determined by Sydney Trains. This insurance shall not contain any exclusion in relation to works on or near the rail corridor and rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group and the light rail operator to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains and light rail operator written advice to the Applicant on the level of insurance required.

**Reason:** To protect vital infrastructure.

21. Prior to the undertaking of works or the issuing of a Construction Certificate (whichever occurs first), the Applicant is to contact Sydney Trains Rail Corridor

Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the entire works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains and the light rail operator. Prior to the issuing of the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains and the light rail operator confirming the lodgement of this Bond/Bank Guarantee.

**Reason:** To protect vital infrastructure.

22. Drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.

**Reason:** To protect vital infrastructure.

23. Where a condition of consent requires Sydney Trains or Transport for NSW endorsement the Principal Certifying Authority is not to issue a Construction Certificate or Occupancy Certificate, as the case may be, until written confirmation has been received from those entities that the particular condition has been complied with. The issuing of a staged Construction Certificates dealing with specific works and compliance conditions can be issued subject to written agreement from those entities to which the relevant conditions applies.

**Reason:** To protect vital infrastructure.

24. The developer shall make provision for easy and ongoing access by rail vehicles, plant and equipment to support maintenance and emergency activities.

**Reason:** To protect vital infrastructure.

#### Roads Maritime Services

25. The layout of the proposed basement car park area associated with the subject development should be in accordance with AS 2890.1 -2004 and AS2890.6 2009.

**Reason:** To comply with the concurrence requirements of RMS.

26. All loading and servicing should be provided for wholly within the development and the proposal should not rely on the surrounding on street parking to fulfil the developments loading and car parking requirements. The number of car parking spaces and loading bay spaces are to be to Council satisfaction.

**Reason:** To comply with the concurrence requirements of RMS.

27. Sight distances from the proposed vehicular crossings to vehicles are to be in accordance with Austroads 'Guide to Traffic Engineering Practice, Part 5 Intersections at Grade, Section 6.2 – Sight Distance and AS 2890. Vegetation and

proposed landscaping must not hinder sight lines to and from the vehicular crossings to pedestrians, cyclists, and general traffic.

**Reason:** To comply with the concurrence requirements of RMS.

28. Bicycle parking associated with the subject development should be in accordance with AS 2890.3 (Bicycle Parking Facilities). Consideration should also be given to providing end-of trip facilities within the commercial development to support and encourage active transport to the subject development.

**Reason:** To comply with the concurrence requirements of RMS.

29. During peak periods, a high volume of buses use Station Street /Smith Street and the Station Street bus layover. The Station Street bus layover is a critical layover facility at Parramatta Interchange and it is essential that the construction works at Darcy Street do not impede bus access to and from the layover facility.

Therefore, a Road Occupancy Licence should be obtained from Transport Management Centre for any works that may impact on traffic flows on Smith Street, Macquarie Street and Darcy Street during construction activities.

**Reason:** To comply with the concurrence requirements of RMS.

#### Environmental Health – Contamination

30. 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.

31. 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.

32. 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.

33. 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.

34. 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.

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

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

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



36. 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.

37. 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.

#### Environmental Health – Waste

38. 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.

39. Any garbage chutes must be designed in accordance with the requirements of the Building Code of Australia and the Department of Environment and Climate Change Better Practice Guide for Waste Management in Multi-Unit Dwellings. Garbage chutes are not suitable for recyclable materials and must be clearly labelled to discourage improper use.

**Reason:** To ensure waste conveyance equipment is appropriately designed and managed.

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

**Reason:** To ensure proper disposal of waste water.

#### City Architecture & Public Domain

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

(a) The architectural design team comprising **Johnson Pilton Walker** 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, S96 Applications, Construction Certificate and Occupation Certificate stages).

- (b) 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.
- (c) Evidence of the design architect's team commission is to be provided to the Council prior to release of the relevant Construction Certificate.
- (d) Council's Design Competition Panel (Design Excellence Jury) is to review and provide comment on the architectural drawings, landscape drawings and samples of all external materials, in particular the external glazing and façade detailing to ensure the scheme remains substantially the same as the award winning scheme prior to the issue of any relevant Construction Certificate and any Occupation Certificate.
- (e) The design architect of the project is not to be changed without prior notice and approval of the Design Excellence Jury.

The Principal Certifying Authority must be satisfied that the above matters have been complied with prior to the issue of a relevant Construction Certificate, in accordance with written confirmation from City of Parramatta Council.

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

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

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

#### **Land use**

42.A monetary contribution comprising \$17,710,200.93 is payable to City of Parramatta Council in accordance with Section 94A of the Environmental Planning and Assessment Act 1979 and the Parramatta City Centre Civic Improvement Plan (Amendment No. 4). Payment must be by EFTPOS, bank cheque or credit card only. At the time of payment, the contribution levy will be indexed quarterly in accordance with movements in the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician. Parramatta City Centre Civic Improvement Plan (Amendment No. 4) can be viewed on Council's website at: [http://www.parracity.nsw.gov.au/build/forms\\_and\\_planning\\_controls/developer\\_contributions](http://www.parracity.nsw.gov.au/build/forms_and_planning_controls/developer_contributions)

The contribution will be adjusted to reflect the terms of any executed and registered Voluntary Planning Agreement.

The required contribution must be paid prior to the release of any Construction Certificate relating to this development.

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

#### Planning

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

**Reason:** To ensure that the levy is paid.

44. In accordance with section 4.17 (5) of the Environmental Planning and Assessment Act 1979 and clause 97 of the Environmental Planning and Assessment Regulation 2000, prior to the issue of any Construction Certificate related to the subject development, the proponent shall modify development consent DA/436/2016 to be consistent with this development consent and to delete any land the subject of this consent from that approval.

**Reason:** To ensure certainty and consistency and that the work is carried out in accordance with the subject approved plans.

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

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

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

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

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

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

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

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

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

#### Planning & Public Domain

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

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

#### Planning & Department of Defence

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

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

Should a bank guarantee be lodged it must:

- (a) Have no expiry date;
- (b) Be forwarded directly from the issuing bank with a cover letter that refers to Development Consent DA/47/2018;
- (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>Bond Type</b>	<b>Amount</b>
<b>Development Site Bonds</b>	\$25,000.00
<b>Hoarding</b>	\$5,150.00 (Class A), \$10,300.00 (Class B)
<b>Street Tree / Furniture</b>	\$2000.00 (Per Tree / item)

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.

#### Planning & Wind Consultant & Public Domain

50. Prior to the issue of a Construction Certificate, the applicant must submit details of all wind mitigation for the approval of Council's Manager of Development and Traffic Services Unit.

Design measures for this purpose shall ensure that-the design of the building will not result in adverse wind conditions within the public domain, adjacent to the building or in the building's environs.

Design measures for this purpose shall not result in any overshadowing, at midwinter between 12noon and 2pm, of the area outlined in red on Figure 4.3.3.7.3 of Parramatta Development Control Plan 2011.

**Reason:** To safeguard the amenity of the public domain.

#### Planning & Solar Reflectivity Consultant & ESD Consultant

51. Prior to the issue of a construction certificate façade details must be provided to the Council's Manager of Development and Traffic Services Unit detailing the following targets have been attained:

- a) Reflectivity of non-glazed façade surface including shading elements shall be demonstrated not to cause glare to users of surrounding public spaces or adjacent buildings.
- b) Maximum visible light reflectivity for any painted, powder-coated or non-adhered metal finish is to have specular reflectivity of less than 5%.
- c) Maximum visible light reflectivity of facades to be no greater than 16% for facade type FT02 as shown on the DA set drawings.
- d) Maximum visible light reflectivity of facades to be no greater than 20% for facade type FT01 and FT03 as shown on the DA set drawings.
- e) Vertical shading fins to be included on the southern façade to the extent required in the Windtech Solar Light Reflectivity report October 19 2018 and to an equal performance to the detail shown in Appendix D of the report.
- f) External solar shading to the tower and podium is to be provided to no lesser extent than indicated in the Architectural Drawing set Rev 03 dated 16.11.18.
- g) Thermal performance of the façade glazing is to be as described in the letter from Prism Facades to the extent that it does not contradict the architectural description of intent contained in Architectural Drawing set Rev 03 dated 16.11.18.

**Reason:** To have a minimal solar and heat reflectivity on the neighbouring properties, the rail corridor and the public domain.

#### Planning

52. No advertisement/signage shall be erected on or in conjunction with the development without prior consent.

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

53. Access and services for people with disabilities shall be provided in accordance with the requirements of the Access to Premises Standard 2010 and the National Construction Code 2013, all relevant Australian Standards to ensure compliance with the Disability Discrimination Act. Detailed plans, documentation and specification must accompany the application for a Construction Certification to the satisfaction of the Certifying Authority.

**Reason:** To comply with the BCA.

54. Prior to the issue of a Construction Certificate, details must be submitted to the Certifying Authority demonstrating that the applicant has the agreement of service providers relating to the relocation of any existing services in Darcy Street.

**Reason:** To ensure the proposal does not negatively impact on essential infrastructure.

55. Prior to the issue of a Construction Certificate, details must be submitted to the Certifying Authority demonstrating that:

- (a) DDA lifts provide an accessible interface.
- (b) Fixed Seating includes a ground level profile.
- (c) Seating must not obstruct pathways and be paved with suitable level abutments, width and turning areas.
- (d) Gradient or fall towards drains must consider AS1428.1.
- (e) Stairs and ramps are designed to AS1428.
- (f) Sanitary facilities are designed to AS1428.
- (g) Emergency Evacuation procedures are designed to AS1428.

**Reason:** To comply with AS1428.

56. All revolving doors must be recessed in alignment with the building glass line and not project into the pedestrian access way. Each revolving door is to also include an adjacent accessible door for equitable access that incorporates the provisions of AS1428.

Amended construction certificate plans are to be submitted to Council's Manager of Development & Traffic Services Unit for satisfaction.

**Reason:** To comply with the requirement for equitable access.

#### Planning & Public Domain

57. A minimum 2.5m wide clear path of travel is to be provided along the first level terrace. No approval is granted for any outdoor dining in this area. Documentary evidence is to be provided to the PCA prior to the issue of the Construction Certificate.

**Reason:** To comply with the requirement for equitable access.

### **NOTE CONDITIONS ARE OUT BY ONE**

#### Public Domain

58. Prior to the issue of a construction certificate the steps from the plaza to the steps (as shown in DA-A-6-0081) must be redesigned to provide the following specifications:

- 320mm going
- 150mm riser

**Note:** Final parameters are subject to detailed design testing.

Amended plans must be submitted for the approval of Council's Manager of Development and Traffic Services Unit.

**Reason:** To improve the accessibility of the development.

#### Public Domain

59. Prior to the issue of a Construction Certificate, the applicant must submit a Landscape Plan for the approval of the Manager Development and Traffic Services. The following matters must be specifically addressed in the Plan:

The Landscape provided must relate to building scale and assist in integrations into the streetscape character, must contain suitable species selection including trees to be planted at the front and rear of the properties to encourage tree canopy to soften the built environment and encourage the continuity of the landscape pattern. Landscaping should provide shade in summer without reducing solar access in winter. The landscape plan must to be prepared by a professionally qualified Landscape Architect. The following information should be addressed and indicated in the Landscape Plan:

- As per the Pedestrian Wind Environment Study prepared by Windtech Consultants (section 6.1.1 & 6.1.2), densely foliating evergreen tree and hedge planting are recommended in multiple locations of the site. The landscape plan needs to indicate the design and details to validate the tree and other vegetation proposed on the lower and upper ground floors.
- Streetscape treatments on Darcy St.
- Footpath treatment on Darcy St.
- Paving treatment for the thru-site walkways.
- The proposed "Green Awning" on level 01 & 02.
- Plan at 1:100 or 1:200 scale showing adjoining properties and streetscape;
- Contours and spot levels across the development, including existing ground levels at the base of each tree;
- Physical structures;
- Overland and subsurface drainage;
- Retained vegetation (eg Trees, urban bushland, shrubs, groundcover);
- Affected trees located on the adjoining properties;



- l) Natural features (eg rock outcrops, watercourses);
- m) The extent of earthworks, identifying cut and fill proposals;
- n) Existing features identified for removal (trees, rock outcrops);
- o) Proposed planting locations, areas, dimensions;
- p) Appropriate alternative landscaping solutions are to be used to create a screen planting effect between properties or building elements;
- q) Indicate the total landscape area and soft soil zone calculations;
- r) An accurate alternative plant schedule indicating trees, shrubs, groundcovers botanical/common names, new plant numbers, the size of the containers at planting, and mature height and canopy spread; and
- s) Tree protection zones for retained trees including any references note requirements that the site arborist deems necessary to ensure the long term health and retention of the trees.
- t) All trees planted as required by the approved landscape plan are to be a minimum 45 litre container size. All shrubs planted as part of the approved landscape plan are to have a minimum 200mm container size.

The proposed plantings within the site should comprise large tree species and understorey plantings. Selected species should be hardy to proposed conditions and to the approval of Council officers.

**Reason:** To ensure the proposal provides sufficient and appropriate landscaping.

60. Any tree planting proposed on slab needs to be provided with significant deep soil in significant contiguous soil zones above basement car parking to successfully support new landscaping.

- (a) The design is to allow for a vehicular corridor between gridlines F and G in the basement area as that alignment will not conflict with proposed future tree planting zones in Parramatta Square. Areas outside that zone must allow space for slab set downs to accommodate proposed tree planting in large contiguous planting zones, not in isolated planter boxes in line with traditional construction practice.
- (b) Deep soil areas shall meet the following criteria:
  - (i) Large contiguous soil zones for tree planting – generous, shared planting zones supporting tree and other vegetation are required.
  - (ii) Minimum soil volume per tree as shown in the table below (depending on selected tree species).

Tree size	Crown spread	Crown Projection	Approx soil volume per tree
Small tree	4-6m	12-28sqm	10-15cubm

Medium tree	7-8m	40-50sqm	20-25cubm
Large tree	10-20m	80-250sqm	35-120cubm
Cabbage Tree Palm	4m	12sqm	10cubm

(iii) Soil medium which offers good organic content and moisture holding capacity. This does not include lightweight soil. Light weight soil is stripped of organic matter, does not retain moisture, requires a more intense watering and fertilising regime and is less likely to support long term, thriving healthy tree and plant growth.

(iv) Minimum 1.5m soil depth excluding drainage layers.

The above needs to be co-ordinated in detail to ensure the successful delivery of thriving tree vegetation in any podium setting for the project

These details shall be reflected in the landscape plans to be submitted to Council as required elsewhere in this Notice.

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

#### Legal – Roads Act

61. Prior to the issue of any construction certificate separate approval shall be obtained under the Roads Act 1993 and the Local Government Act 1993 to close the area of land relating to the development that is still designated as public road.

**Reason:** To ensure the orderly development of the site.

#### Environmental Strategy Flood Antenna

62. Prior to the issue of the relevant construction certificate the applicant must allocate roof area for a Council Flood Warning Antenna at the highest point of the tower and additional sensors. (Above plant room)

The detailed design must be able to accommodate of the following requirements:

- 2m square area
- The antenna type would be a 1.7m CoD2 model;  
[http://www.rfiwireless.com.au/vhf-enclosed-dipole-cod2.html#tab\\_downloads](http://www.rfiwireless.com.au/vhf-enclosed-dipole-cod2.html#tab_downloads)
- Council would require access during business hours on a bimonthly basis except in situations of failure when ad hoc access would be negotiated with the owners.
- Mains would be required for the telemetry solutions.

**Reason:** To facilitate the implementation of Council's Smart Cities Objectives.

#### City Architect & ESD

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

- a. A 1:1 manufactured visual mock-up (VMU) of key junctions of the external glazed façade, including any articulation elements (minimum 3m x 3m dimensions)

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

City Architect

64. Prior to the release of the relevant construction certificate the applicant shall submit for the approval of the City Architect, key cross sections, partial plans and partial elevations through external walls, balconies, pergolas and other key external details. Drawings are to be fully annotated at a scale of 1:50 (or if necessary 1:20) showing details, materials, finishes and colours, so that the details and materiality of the external facades are clearly documented. Revised 3D photomontages should also be submitted. The development shall be completed in accordance with the plans approved to satisfy this condition.

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

65. Prior to the issue of the Construction Certificate, revised plans shall be submitted to the Council for approval by Council's Manager of Development and Traffic Services Unit demonstrating the following requirements:

- a) The building must achieve a 5-star Green Star Design and As-built rating (v1.2 or later). Evidence is to be provided in accordance with the Design Review certified rating of the Green Building Council of Australia.
- b) A dual reticulation (dual pipe) system is to be installed, with the dual reticulation system being of sufficient size to supply all non-potable water uses of the building and suitable for future connection to a recycled water main.
- c) LED lighting must be provided throughout the building.
- d) Outdoor air ventilation rates must exceed the relevant Australian Standard by 50%.
- e) The use of PVC must be limited with minimum replacement of 60% (by cost) compared to standard practice.
- f) 95% of all timber is used on the project is to be FSC Certified under the Forest Stewardship Council certification system.

- g) All lifts must be gearless with regenerative drives. Passenger lifts to have destination control.
- h) Solar photovoltaic generation must be installed to not less than 50% of the horizontal roof area.

**Reason:** To ensure design excellence and environmentally sustainable development outcomes are achieved.

## ESD

66. Prior to the issue of the Construction Certificate, revised plans shall be submitted to the Council for approval by Council's City Architect and independent Environmentally Sustainable Development consultant demonstrating the following requirements:

- a) The building will be designed and constructed to operate at a minimum NABERS Energy rating of 5.0 stars without accounting for any Green Power used in the building and a NABERS Water rating of 4.5 stars (NABERS Condition).
- b) The Applicant will develop a realistic estimate of the NABERS Energy rating and corresponding report in accordance with the requirements set out in the NABERS Guide to Building Energy Estimation (the NABERS Energy Estimate) with the following exclusion:
  - i. The NABERS Rating Estimate must not include any contribution from onsite renewable energy generation. Any onsite renewable energy contribution is to be reported separately.
- c) The Applicant will develop a realistic estimate of the NABERS Water rating and corresponding report NABERS Water Estimate.
- d) An independent design review of the NABERS Energy Estimate and NABERS Water Estimate is to be conducted by a NABERS Independent Design Reviewer for the benefit of Council, to demonstrate that the proposed building can realistically be expected to achieve the minimum ratings (the Design Review).
- e) The NABERS Independent Design Reviewer must be appointed by the Applicant on terms equivalent to that required under the NABERS Energy Commitment Agreement to review the NABERS Rating Estimate for

compliance with the NABERS Energy Commitment Agreement: Handbook for Estimating NABERS Ratings.

- f) The Applicant must provide a report, prepared by the Independent Design Reviewer and detailing the outcomes of the Design Review, to Council for review and approval of the NABERS Condition of consent.
- g) The undertaking of a formal NABERS Energy Rating and NABERS Water Rating within 12 months of the building achieving 75% commercial occupancy, and submission of the rating result to the City of Parramatta.

**Note:** NABERS Independent Design Reviewer – A member the NABERS Design Review panel (appointed and maintained by the NABERS National Administrator) who is independent of the project design team and the person(s) developing the NABERS Rating Estimate.

**Reason:** To ensure design excellence and environmentally sustainable development outcomes are achieved.

#### Heritage interpretation

67. Prior to the issue of any Construction Certificate a Heritage Interpretation Strategy, prepared by a suitably experienced person, shall be submitted to the Council of the City of Parramatta for evaluation and approval. The Strategy must:

- a) Recommend how the tangible and intangible significance of the site will be accessibly interpreted for the public;
- b) Address Aboriginal, historical archaeological and built heritage to effectively communicate the significance of each part of the site and the area as a whole; and
- c) Document all interpretive installations and devices to be accommodated within the approved project, supported by an explanation as to how the Strategy has guided and informed the nominated installations and devices.

All elements of the endorsed Heritage Interpretation Strategy shall be implemented to the satisfaction of Council, prior to the issue of any Occupation Certificate.

**Reason:** To comply with Council's policies.

#### Environmental Health – Acoustic

68. Noise attenuation measures shall be incorporated into the development to comply with the design requirements of Department of Environment and Climate Change Road and Rail Noise Intrusion Guidelines. A design report outlining the proposed

noise attenuation measures prepared by a suitably qualified acoustical consultant (who is a member of either the Australian Acoustical Society, or the Association of Australian Acoustical Consultants), is to be submitted and approved by the principal certifying authority before the issue of the construction certificate. After completion of the works, prior to the issue of an occupation certificate, the developer must submit to the accredited certifier, a report from a practicing acoustic engineer (as above) verifying that the works as installed meet the above design condition.

**Reason:** To reduce noise levels.

69. Prior to the issue of a construction certificate a further report including accompanying plans shall be submitted to the satisfaction of the Principal Certifying Authority that provides details of the private contractor that will be engaged to collect domestic waste from the site. If Council is not the principal certifying authority a copy of this report and accompanying plans is required to be provided to Council. This report shall identify the frequency of collection and provide details of how waste products including paper, aluminium cans, bottles etc, will be re-cycled. Waste collection from the site shall occur in accordance with the details contained within this report.

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

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

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

#### Traffic

71. 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, 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.

72. Prior to the issue of a construction certificate, traffic signals at the intersection of Church Street and Darcy Street are to be designed in accordance with the final layout of Church Street and Darcy Street to the satisfaction of Roads and Maritime Services (RMS) and Council's Service Manager – Traffic and Transport. Detailed design plans are to be submitted with the construction certificate.

**Reason:** To ensure safe traffic movement at intersection.

### Infrastructure & Civil Assets

#### **Darcy Street**

73. Prior to the issue of a Construction Certificate, the plans shall be refined to improve the design and legibility of Darcy Street as a 'public' street. The following details must be submitted to the satisfaction of Council:
- (a) The proposed Darcy Street alignment shall be designed to meet Council's requirements and be drawn by a suitably qualified designer. The submitted design shall be in accordance with Austroads Guide to Road Design in association with relevant Roads and Maritime supplements (available on [www.rms.nsw.gov.au](http://www.rms.nsw.gov.au)). The certified copies of the civil design plans shall be submitted to Council for consideration and approval prior to the release of a Construction Certificate and commencement of road works.
  - (b) Details demonstrating that the maximum gradient of Darcy Street is 12%, subject to the outcome of Council negotiation on this gradient.
  - (c) Details of water proofing of basement below Darcy Street demonstrating that it does not rely on the road surface;
  - (d) Details demonstrating that the overall design of Darcy Street addresses the issue of differential settlement at the interface of road section constructed over the suspended slab and adjacent areas; and
  - (e) Detailed engineering plans of those elements that have a potential to become future liability to Council.
  - (f) A clearly identifiable and consistently aligned public footpaths on both sides of the carriageway

- (g) Detailed treatment of the proposed significant retaining walls in Darcy Street. These will be critical to the success of the street design.
- (h) Detailed public domain plans showing all materials, finishes and appointments including street trees in accordance with the requirements of the CoP Public Domain Guidelines.
- (i) Detailed alignment plans showing a fully resolved intersection designs at Smith and Church Street intersections considering pedestrian safety (refer PDG Chapter 2 for requirements).
- (j) Fully co-ordinated public domain and civil plans that reflect the same levels, finishes and appointments, particularly levels (eg refer discrepancies at Chainage 220 sections between the civil and alignments plans).
- (k) Structures such as columns or the underside of stairways are a potential hazard for people who are blind, deafblind, or who have low vision or other sensory impairments. The Premises Standards address this issue by a mandatory requirement to provide strategically placed warning Tactile Ground Surface Indicators (TGSIs).

(l) Surface Treatments

- Gravel should not be considered for use on an accessible path of travel
- The surface either side of an accessible path of travel is to be level with the path for a horizontal distance of at least 600 mm
- The slip resistance values of adjoining surfaces should be similar, to avoid potential slip or stumble hazards.

(m) Colour Contrast

Colour contrast between adjoining surfaces or obstructions is a safety feature for everyone as it provides both identification and a sense of depth. E.g. the colour contrast between a wall and a floor should occur where the wall meets the floor. Any border should be the same colour as the wall, so as not to confuse a person who has vision impairment.

(n) Retail Tenancy Entrance: At-grade or level entrances are required. Steps and/or ramped entries are not permitted.

(o) Public Seating: Minimum 30% public seating is to be provided with backrests and armrests.



(p) Signage: Information and directional signage is also to be provided in Braille and tactile lettering, and with symbols, to comply with the Premises Standards and the BCA.

(q) A parking, signposting, pedestrian crossing and linemarking scheme shall be developed.

(r) Bicycle parking rails shall be provided in Darcy Street to the satisfaction of Council.

(s) Provide multi-function poles, LED lighting, utility locations, way-finding and multi-function poles in Darcy Street to Council's satisfaction.

**Reason:** To ensure the proposal does not negatively impact on essential road infrastructure.

#### Development Engineer

74. 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 events up to the 1 in 100 year level plus 500mm freeboard.

**Reason:** To ensure the structure can withstand flooding impacts.

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

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

- i) Stormwater management plan, by WSP 23 May 2018
- ii) Reference number 2271242-SW-REP-01, Revision A, dated 15/12/2017, prepared by WSP Australia P/L.
- iii) Stormwater management plan – Basement 1, drawing number WSP-SW-01, dated 11/12/2017, prepared by WSP Australia P/L.

- iv) Stormwater management plan – Ground Floor, drawing number WSP-SW-02, dated 11/12/2017, prepared by WSP Australia P/L.
  - v) Stormwater management plan – Level 6, drawing number WSP-SW-07, dated 11/12/2017, prepared by WSP Australia P/L.
  - vi) Stormwater management plan –Level 56 (plant), drawing number WSP-SW-16, dated 11/12/2017, prepared by WSP Australia P/L.
  - vii) Stormwater management plan – External arrangement elevation, drawing number WSP-SW-17 and dated 11/12/2017, prepared by WSP Australia P/L.
- b. The Site Reference Discharge (Lower Storage), SRDL of 40 L/s/ha, Site Storage Requirement (Lower Storage) SSRL of 300 m<sup>3</sup>/ha, Site Reference Discharge (Upper Storage), SRDU of 150 l/s/ha, Site Storage Requirement (Total) SSRT of 455 m<sup>3</sup>/ha (when using the Extended/Flood detention method - 4th edition of UPRCT's handbook).
  - c. Adequate access hatches must be provided so the OSD tank storage area can be inspected from outside for silt and debris.
  - d. Vent-stacks must be provided to allow for adequate cross-ventilation.
  - e. The OSD system must be designed and constructed to achieve a similar expected life-span as the building it services. This will likely require it to be designed as a reinforced concrete structure, rather than a pre-fabricated module.
  - f. Certificate from a 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.

- 76. Two x 25kL Rainwater tanks, a Gross Pollutant Trap and any other necessary water quality treatment devices must be installed to manage stormwater runoff quality to satisfy section 3.3.6.1 of City of Parramatta 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.

77. All mechanical exhaust ventilation from the car park is to be ventilated away from the boundaries of the adjoining properties, and in accordance with the provisions of AS1668.1 - 1998 – ‘The use of ventilation and air conditioning in buildings’ – ‘Fire and smoke control in multi-compartmented buildings’. Details showing compliance are to accompany an application for a Construction Certificate.

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

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

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

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

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

**Reason:** To protect Council's infrastructure.

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

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

81. 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.

82. Foundations adjacent to the existing drainage pipes, within drainage easements, must be constructed in accordance with Council's Code, "Foundation Requirements for Structures Adjacent to Council Stormwater Drainage Easements". Details must accompany an application for a Construction Certificate.

**Reason:** To ensure structural stability of the stormwater pipe.

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

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

84. Details of the following are to be submitted for the approval of Council's Service Manager DTSU, and which must be obtained prior to the release of Council's approval for construction (of future Council assets) and implemented prior to Occupation Certificate to Council's satisfaction.

- a) Details must be consistent with Council's Stormwater Disposal Policy 2015, Council's DCP 2011 and Water Sensitive Urban Design Strategy for Parramatta Square Precinct by AECOM/ Parramatta City Council 14 May 2013, Council civil specifications and other contemporary practice.

Working details of public domain stormwater design and management and civil infrastructure works shall be generally in accordance with the Development Application but must address the following:

- b) Public Domain – Stormwater Drainage

Drainage detailing must ensure that surface water from the public domain areas does not normally run into private areas, buildings etc. The planned design surfaces within the Parramatta Square are not mainstream overland flow paths but are of nominal capacity, and simply self-draining, allowing any surface water to flow out to Macquarie Street. Within the Parramatta Square only, this approach is valid, provided that major underground drainage is provided for the internal stormwater from Parramatta Square and associated buildings to 100 ARI (1% AEP) capacity.

Stormwater reticulation pipes and culverts only within and draining the Parramatta Square and its buildings are to be of 1% AEP (100 ARI) capacity with 500mm freeboard above 1% AEP top water level to corresponding finished floor levels, (unless otherwise approved by Council).

- c) A 1% AEP (100 ARI) Council stormwater pipeline or culvert is to be provided to convey stormwater from 4 6 and 8 PS (and the Square and other buildings) northwards across the Parramatta Square to Macquarie Street via the former Civic Place (Leigh Place) or on another Council-approved alignment. Full design details of this are required. This includes sidelines in Parramatta Square generally in accordance with the DA documentation. The applicant is to liaise with Council regarding a suitable form of design and construction for this line. Flows in this line must take into account wind driven rain on the sides of the PS 4, 6 and 8 towers and may take into account the effects of On Site Detention within 4, 6 and 8 PS.
- d) To avoid surcharging in Macquarie Street, this reticulation is to be constructed as far as is necessary from 4 and 6 Parramatta Square across the Square (former Civic Place), along Macquarie Street and into Smith Street to connect to the existing piped public drainage system and enable effective provision to be made for surcharge in Smith Street, without causing safety or nuisance problems. Such work is to be generally in accordance with Council's standard engineering specifications and to Council approval. Council will consider, and may require as an alternative, a trunk drainage route to pass through the future 'Horwood Place' precinct northwards to the Parramatta River.
- e) Demonstration is required that the hydraulic performance of the drainage system in Darcy Street near the Sydney Water vehicular access ramp is designed to ensure no overflows or bypass flows for the 1% AEP design event enter into the Sydney Water basement car park.
- f) The proposed 1050 mm diameter stormwater drainage pipe system in Smith Street must be continued northwards along Smith Street (replacing the 375mm diameter pipe) to Macquarie Street and must be connected with the proposed new stormwater culvert in Macquarie Street and other proposed new drainage work associated with Parramatta Light Rail that conveys stormwater to a surcharge point in Smith Street north of Macquarie Street. An access junction pit must be constructed at the point of connection. The design of this system must be coordinated with other design for Parramatta Square and with TfNSW.
- g) **Road and Civil Works**

New road works in the perimeter road carriageway frontages of the Parramatta Square precinct shall incorporate standard or approved stone 150mm kerb and gutter and road drainage with kerb inlet pits for the 5% AEP (20 ARI) stormflow event. A hydrological and hydraulic catchment study of the local drainage system shall be undertaken. This study shall detail the pre-development Council stormwater drainage network using the DRAINS model or equivalent and shall be run to determine the capacity of the existing system and resulting overland flows. Improvements to the existing Council downstream stormwater drainage pipe system may be required in order to achieve a 20 ARI design capacity if required by Council. This should be identified in the detailed DRAINS model. A hydraulic check of the site drainage system will need to be determined at the point of connection to Council's drainage system to ensure that there are no issues of backwater flows resulting in flooding of any of the basement car parks.

**Reason:** To ensure stormwater is appropriately managed and civil infrastructure is adequate to support the development

85. An updated Flood Management Plan must be submitted for the approval of the Service Manager DTSU prior to release of the Construction Certificate. This shall be generally in accordance with the Development Application, but shall address the following to Council's satisfaction.
- a) The minimum residential habitable floor levels for all buildings are required to be the probable maximum flood levels (PMF) which for this site may be assumed to be 11.8m AHD (and for which no freeboard is required).
  - b) For 6 PS the minimum finished floor levels for non-residential habitable floors has been set by Council at 10.9m AHD and for 8 PS the minimum finished floor level for non-residential habitable floors is RL 11.7m AHD. These are the respective 'flood planning levels' and are related to the modelled rainwater overland stormwater flow levels in Macquarie Street.
  - c) In addition to this minimum finished floor level, rainwater overland flow flood protection at least to this same level (10.9m PS6 and 11.7m AHD PS8) is required to the basement car park entries (driveways and other vertical openings).
  - d) All basement car parks including the 'super basement' car park under Parramatta Square and beyond are to be protected with passive, automatic, fail-safe systems (such as increased crest levels or flood gates driven by flotation) between the 100 ARI plus 500mm rainwater overland flow level up to the river Probable Maximum Flood level of 11.8m AHD. This applies

to driveway crests, pedestrian entries and other openings into the basements that would allow floodwaters in. This must be generally in accordance with BG&E drawings JPW SK 6 1043 P1 and P2 dated May 2015.

- e) Designs must include adequate ventilation of the basement carpark during the PMF event. For example, the inlet/outlet vents of ventilation shafts are to be located well above the PMF level.
- f) To increase opportunities for evacuation of disabled and frail people, accessible car parking spaces are to be located as high as possible in the basement carpark.
- g) The Flood Management Plan must show that adequate refuge/shelter-in-place is to be provided with a refuge above the PMF (RL 11.8m AHD) for all occupants including visitors to residents, users of the commercial areas and other visitors to, and occupants of, the building (such as workers, security staff). The designs must incorporate areas above the PMF, to facilitate an emergency response. Such equipment that may be required to be stored and provided for in these spaces would be emergency food and water supplies, toilets, washing facilities, food, electrical generators, emergency lighting, communications, defibrillators and other medical supplies etc. These designs must address how a fire will be fought if it coincided with a significant flood event including PMF.

**Reason:** To ensure the proposal responds to flood risk.

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

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

**Reason:** To protect Council's infrastructure.

87. A Construction Environmental Management Plan (CEMP) must be prepared in accordance with the Department of Infrastructure, Planning and Natural Resources (2004) Guidelines for the Preparation of Environmental Management

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

The CEMP must be prepared and implemented in accordance with the procedures, safeguards and mitigation measures identified in the EA and in consultation with relevant stakeholders. One such safeguard measure to be implemented prior to operation is the installation of a pollution control valve that will contain all pollutants on the premises so that all stormwater outlets from the premises are capable of being closed off.

The CEMP must contain all the Construction Sub Plans, including:

- a) Construction Noise and Vibration Management Sub Plan,
- b) Construction Contaminated Land Management Sub Plan (to further assess the extent of asbestos and ensure the ash layer will not be disturbed during construction in addition to any relevant Remedial Action Plan),
- c) Construction Soil and Water Management Sub Plan.

The approved CEMP must be made publicly available.

In conjunction with the CEMP and SWMP details of the following are to be submitted for the approval of the PCA prior to the release of the Construction Certificate and implemented throughout the works to Council's satisfaction.

A site construction, soil, water and environmental management plan is to be prepared generally in accordance with the DA showing in detail how the processes of excavation and below ground and above ground construction will take place and how site and surrounds will be managed to mitigate environmental harm and other negative impacts. Full working details of this will be required to be submitted for approval with the Construction Certificate.

This is to include:

- (i) How the excavation and surrounding land are protected from ingress of rainwater and other floodwaters. The standard of protection must be at least the 1% AEP overland flow flood level plus 500mm freeboard unless a lesser standard can be demonstrated as being sufficient.
- (ii) How occupants of the site will be protected from flood incursion including emergency warning, response and evacuation, and any emergency pumping methods and capacity.



- (iii) How the site is protected from incursion of seepage and ground water.  
(Note this area was once low lying marshland and is likely to have high groundwater flow rates.)
- (iv) How stormwater quality is to be controlled and runoff retained and treated so that water borne pollution does not escape from the site during construction.
- (v) How water pumped or drained from excavated and other disturbed areas during construction will be treated prior to discharge. This is likely to require continuous treatment such as 'WETSEP' or equivalent to remove colloids and suspended particles, as well as coarser sediments and associated contaminants. Such work may require a pollution licence from the EPA.
- (vi) Construction and associated bunding will divert existing overland flow patterns and may cause unexpected consequences, which must be planned for in conjunction with this DA and must be managed during the work.

**Reason:** To protect the environment.

88. The Applicant is directed to the need to comply with the requirements of the Protection of the Environment Operations Act 1997 and any EPA licence requirements. Except as may be expressly provided by a licence under the Protection of the Environment Operations Act 1997 in relation to the development, the Protection of the Environment Operations Act 1997 must be complied with in, and in connection with, the carrying out of the development.

In addition to any EPA licence requirements, Council requires the following discharge water quality standards be achieved at all times throughout the construction phase of the development: pH 6.5-8.5; Total Suspended Solids (TSS) 50 mg/l; Oil and Grease 'Not visible'.

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

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

89. During construction of the basement, the full site must be flood-proofed to prevent ingress of floodwaters for at least the 1 in 100 year (1% AEP) event plus 500mm freeboard. This is to be done by provision of continuous perimeter bunding to a level of RL. 10.9m AHD minimum, unless otherwise approved by Council, including crests on temporary accessways and stormwater lines. Construction of the bunding and accessway crests is to be sufficiently durable so as to withstand the forces of floodwaters and construction activity. Details are to be submitted for the approval of the Principal Certifying Authority prior to release of the Construction Certificate.

**Reason:** To ensure adequate flood protection.

90. Prior to release of the construction certificate for any stage of PS 6 and 8 evidence must be presented to and accepted by Council's Service Manager DTSU that the landowner of the PS3 development at 153 Macquarie Street:

a) Has created the easement over the culvert in the PS3 basement to allow Council and others to drain stormwater through it.

b) Has placed appropriate instruments on the title of the PS3 site (153 Macquarie Street) satisfactory to Council's Service Manager DTSU to ensure that the landowner maintains the culvert in perpetuity and indemnifies Council in regard to any damage arising from culvert blockage or failure.

**Reason:** To ensure the development has secured legal rights to drain water to Council's Stormwater system.

#### Sydney Trains

91. The following items are to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate:

- Machinery to be used during excavation/construction.

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

**Reason:** To protect vital infrastructure.

92. A final Electrolysis Report based on the final approved development is to be prepared prior to the issue of a construction certificate. The report is also to address the PERL. The Applicant must incorporate in the development all the measures recommended in the report to control that risk.

**Reason:** To protect vital infrastructure.

93. Given the possible likelihood of objects being dropped or thrown onto the rail corridor from balconies, windows and other external features (eg roof terraces and external fire escapes) that are within 20m and face the rail corridor, the Applicant is required to install measures (eg awning windows, louvres, enclosed balconies, window restrictors etc) which prevent the throwing of objects onto the rail corridor. These measures are to comply with Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until it has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.

**Reason:** To protect vital infrastructure.

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

**Reason:** To protect vital infrastructure.

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

**Reason:** To protect vital infrastructure.

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

**Reason:** To protect vital infrastructure.

97. Prior to the issuing of a Construction Certificate the Applicant shall liaise with Sydney Trains to the need to provide any fencing, rail access points or crash barriers due to the revised Darcy Street. The timing of the provision of these

items if required by Sydney Trains is to be in accordance with Sydney Trains requirements.

**Reason:** To protect vital infrastructure.

98. Prior to the issue of a Construction Certificate the Applicant is to submit to Sydney Trains the demolition, excavation and construction methodology and staging for review and endorsement. The Principle Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

**Reason:** To protect vital infrastructure.

99. Prior to the issue of a construction certificate, the Applicant shall provide certification from a qualified Geotechnical and Structural Engineers stating that the proposed works are to have no negative impact on the rail corridor and associated rail infrastructure.

**Reason:** To protect vital infrastructure.

100. No work is permitted within the Sydney Trains land, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains and/or Transport for NSW. Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from those entities confirming that its approval has been granted.

**Reason:** To protect vital infrastructure.

#### Transport for NSW

101. Prior to the issue of the Construction Certificate, the applicant shall provide the following documentation for TfNSW review and written endorsement:

- Revised Acoustic Assessment Report with the inclusion of any possible noise and vibration effects from the operation of the PRL;
- Updated Architectural Drawings to show the PRL corridor, the sections details in relation to the PRL Corridor with RL's specified;
- Revised Structural Engineering Report and Drawings that:
  - The structural engineer addresses the integrity of the building façade during construction and operation of the PRL;

- The structural engineer confirms that the movements predicted by the geotechnical numerical modelling can be accommodated by the structure; and
- The applicant provides structural drawings during design development. Structural drawing should show the section details in relation to the PRL corridor and also provide the section detail showing the existing rail infrastructure.
- Revised Rail Interface Report to reflect the changes to the development that have been made as part of the current development applications and be amended to reflect the current standard (2017).

**Reason:** To coordinate the development with future infrastructure.

#### Endeavour Energy

102. Prior to the issue of a construction certificate the applicant must submit an application for connection of load via Endeavour Energy's Network Connections Branch to carry out the final load assessment and determine the method of supply. Depending on the outcome of this assessment, any required padmount or indoor / chamber substation will need to be located within the property (in a suitable and accessible location). The substation would then need to be protected (including any associated cabling) by an easement and associated restrictions benefiting and gifted to Endeavour Energy prior to future occupation.

Please refer to 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/>

**Reason:** To ensure that safe and accessible electrical supply provisions are offered to the development.

#### Planning

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

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

104. All outdoor lighting must comply with the relevant provisions of AS/NZS 1158.3: 1999 Pedestrian Area (Category P) Lighting and AS 4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Details demonstrating compliance with these requirements must accompany the Construction Certificate application and be to the satisfaction of the Certifying Authority.

**Reason:** To provide high quality external lighting for security without adverse effects on public amenity from excessive illumination levels.

### **Prior to Work Commencing**

#### Planning

105. 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.

106. 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.

107. A sign must be erected in a prominent position on any site involving excavation, erection or demolition of a building in accordance with Clause 98 A (2) of the Environmental Planning and Assessment Regulations 2000 detailing:

- (a) Unauthorised entry of the work site is prohibited;
- (b) The name of the principal contractor (or person in charge of the work site), their telephone number enabling 24hour contact; and
- (c) The name, address and telephone number of the Principal Certifying Authority; and
- (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.

108. A Hoarding Application to enclose public space is to be accompanied by the appropriate fee calculated according to Council's adopted fees and charges, together with details showing the location and type of hoarding proposed as required by Council's Hoarding Policy.

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

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

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

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

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

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

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

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

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

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

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

111. Prior to the commencement of any works on site, the applicant must submit a Community Engagement Plan, prepared by suitably qualified community engagement experts, to the Council for approval. The plan is to cover the period of construction and consider at a minimum the following stakeholders:

- (a) Pedestrians
- (b) Residents of high rise development in the immediate vicinity
- (c) Local homeless rough sleepers and boarder homeless community- via the Parramatta Homeless Region Interagency
- (d) ATSI residents and representatives of the Darug people
- (e) Community Service Providers located or providing service in the immediate vicinity including, local homeless food services, Salvation Army services, Parramatta Mission, Western Sydney Community Forum, and Hills/ Holroyd Parramatta Community Migrant Centre
- (f) Small businesses in the vicinity
- (g) Education Institutes including Western Sydney University, Department of Education – Assets and Strategy Divisions, Arthur Phillip High School, and Parramatta Primary School
- (h) Childcare Centres in the vicinity
- (i) Places of Worship in the vicinity
- (j) Transport Infrastructure and Operations including all bus operators using Darcy Street.

This plan should reflect and consider the larger Parramatta Square development impacts and the relationship between those and the proposed development at Parramatta Square 4 and 6.

**Reason:** To minimise the impact on adjoining and nearby occupiers.

112. Prior to the commencement of any 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 and any vibrations generated by construction works.

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 heritage items in the vicinity, namely the Parramatta Town Hall and St John's Cathedral must form a part of this survey. 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.

113. Prior to commencement of works, the proponent is to consult with Transport for NSW, Parramatta Light Rail Team and Sydney Coordination Office regarding the proposed development.

**Reason:** To ensure continuity between neighbouring developments.

#### Public Domain

114. 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 in accordance with the Overview and Deliverable Outline requirements to Council's performance specification 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 the subject of this DA:

- Church Street steps
- Location of the column landings in Parramatta Square

Grading of the pedestrian footway:

- Detailed design spot levels and designed contour lines 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 entry/access requirements will not be accepted.

**Reason:** To ensure the public domain is constructed in accordance with the Parramatta Square Reference Design and Performance Specification or approved relevant public domain DA's.

#### City Animation

115. Prior to any works commencing, the applicant shall lodge with Council a final Arts Plan which:

- (a) Contains the necessary historical information and site analysis, as well as detailed identification of site opportunities in relation the building plans;
- (b) Along with other documents referenced in the preliminary arts plan prepared by JPW, dated December 2017, the final Plan shall also be consistent with Council's "Interim Public Art Guidelines for Developers";
- (c) Confirms that the budget for the public art works for the precinct (including 3, 4, 6 and 8 Parramatta Square) shall not be less than \$1.5m
- (d) Requires a maintenance schedule for the works, the ongoing implemented of which shall be at the cost of the relevant body corporate/Owners Corporation

Council shall endorse the final Arts Plan once satisfactory. The approved works shall be completed and installed prior to the issue of any Occupation Certificate.

**Reason:** To ensure the proposal provides a level of public art commensurate with the scale of works.

#### Environmental Health – Contamination

116. 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.

117. On demolition sites where buildings are known to contain friable or non-friable asbestos material, standard warning signs containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm are to be erected in a prominent position on site visible from the street kerb. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos material has been removed from the site. Advice on the availability of these signs can be obtained by contacting the NSW WorkCover Authority hotline or their website [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au).

**Reason:** To comply with the requirements of the NSW WorkCover Authority.

118. At least one (1) week prior to work commencing, 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.

#### Environmental Health - Waste

119. 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.

### Development & Traffic Engineering

120. Prior to the commencement of any works on site, the applicant must submit a Construction and Traffic Management Plan to the satisfaction of the 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) Construction Management Plan for the Site. A plan view of the entire site and frontage roadways indicating:

- (i) Dedicated construction site entrances and exits, controlled by a certified traffic controller, to safely manage pedestrians and construction related vehicles in the frontage roadways,
- (ii) Turning areas within the site for construction and spoil removal vehicles, allowing a forward entry and egress for all construction vehicles on the site,
- (iii) The locations of proposed Work Zones in the egress frontage roadways,
- (iv) Location of any proposed crane standing areas,
- (v) A dedicated unloading and loading point within the site for all construction vehicles, plant and deliveries,
- (vi) Material, plant and spoil bin storage areas within the site, where all materials are to be dropped off and collected,
- (vii) The provisions of an on-site parking area for employees, tradesperson and construction vehicles as far as possible.
- (viii) A detailed description and route map of the proposed route for vehicles involved in spoil removal, material delivery and machine floatage and a copy of this route is to be made available to all contractors.
- (ix) A detailed description of locations that will be used for layover for trucks waiting to access the construction site,
- (x) Proposed construction hours,
- (xi) Estimated number and type of construction vehicle movements including morning and afternoon peak and off peak movements,
- (xii) Construction program that references peak construction activities and proposed construction 'Staging',

- (xiii) Any potential impact to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during the construction of the proposed works,
- (xiv) Cumulative construction impacts of projects in the Parramatta CBD. Should any impacts be identified, the duration of the impacts, and,
- (xv) Measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified.

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

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

- (c) Traffic Control Plan(s) for the site:

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

- (d) 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.

121. 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.

122. 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.

123. Details of the proposed reinforced concrete pipe-work within Darcy Street and elsewhere in the public domain shall be submitted for Council's City Works Unit approval prior to commencement of any work.

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

124. 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.

125. 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.

126. 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.

127. 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.

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

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

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

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

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

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



### Sydney Trains

129. If required by Sydney Trains, a revised services search is to be undertaken prior to commencement of works. The Applicant is to contact the Sydney Trains Rail Corridor Management Group to confirm the need for this item.

**Reason:** To protect vital infrastructure.

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

**Reason:** To protect vital infrastructure.

### **During Work**

#### Planning

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

**Reason:** To ensure compliance with this consent.

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

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

133. 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.

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

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

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

Such circumstances where extended hours may be permitted include:

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

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

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

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

The complaints register must be made available to Council and/or the principal certifying authority upon request.

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

136. 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.

137. A survey certificate is to be submitted to the Principal Certifying Authority prior to pouring of any footings or slabs and/or the construction of any walls/posts. The certificate must indicate the location of the all footings, slabs, posts and walls in relation to adjacent boundaries, and must confirm the floor level is consistent with that approved under this consent prior to any further work proceeding on the building.

This is to ensure the development when complete, will be constructed wholly within the confines of the subject allotment.

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

138. The site shall be surrounded with a continuous bund not less than 300mm high so as to minimise the ingress of stormwater from adjacent streets and paved areas. Any rain water and seepage water collected within the site shall be held in containment ponds, treated and disposed of to Council and EPA requirements and satisfaction.

**Reason:** To ensure soil and water management controls are in place.

Public Domain

139. All trees supplied above a 25L container size must be grown and planted in accordance with:

- (a) Clarke, R 1996 Purchasing Landscape Trees: A guide to assessing tree quality.
- (b) Natspec Guide No.2.

Certification is to be forwarded to the Principal Certifying Authority upon completion of the planting, certifying the trees have been grown to Natspec guidelines. 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.

140. All trees planted within the site must be of an adequate root volume and maturity so as not to require staking or mechanical support. Planting must be carried out in accordance with the planting and growth requirements of Council's Standard Drawing DS39.

**Reason:** To ensure the trees planted within the site are able to reach their required potential.

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

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

The required inspections include the followings:

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

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

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

#### Environmental Health – Contamination

142. 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.

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

**Reason:** To ensure appropriate disposal of asbestos materials.

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

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

145. 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.

146. Any site excavation areas must be kept free of accumulated water at all times. Water that accumulates within an excavation must be removed and disposed of in a manner that does not result in: the pollution of waters, nuisance to neighbouring properties, or damage/potential damage to neighbouring land and/or property. A de-watering plan is required to be included and submitted to Council for review prior to issue of a Construction Certificate.

**Reason:** To protect against subsidence, erosion and other nuisances.

#### Environmental Health - Waste

147. 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 Environmental 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 Engineering

148. 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.

149. 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.

#### Development Engineering

150. 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.

151. 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.

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

**Reason:** To provide pedestrian passage.

153. A Standard Kerb Ramp is to be constructed at the intersection of Church Street and Darcy Street in accordance with Council Plan No. DS4. Details must be submitted to and be approved by Council prior to construction. All costs must be borne by the applicant.

**Reason:** To provide adequate access.

154. 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.

155. 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.

156. 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.

Endeavour Energy

157. A number of significant electrical assets are located on and adjacent to the site. The Contractor is to be aware of the potential risks of working adjacent to these assets such as receiving an electric shock and causing substantial damage to plant and equipment. Endeavour Energy has available public safety training resources that are reviewed by the Contractor to ensure that works are carried out safely at the site. These resources can be downloaded from the website link below:

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

**Reason:** To ensure that works are carried out in a safe manner.

158. 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 / electricity 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 ensure that works are carried out in a safe manner

159. In case of an emergency relating to Endeavour Energy's electrical network, the applicant should note Emergencies Telephone is 131 003 which can be contact 24 hours/7 days.

**Reason:** To ensure that works are carried out in a safe manner.

160. It is imperative that the access to the existing electrical infrastructure adjacent and on the site is maintained at all times.

**Reason:** To ensure that supply electricity is available to the community, access to the electrical assets may be required at any time.

## **Prior to the issue of an Occupation Certificate/Use Commencing**

### Planning

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

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

162. 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.

163. 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.

164. The applicant shall engage a suitably qualified person to prepare a post construction dilapidation report at the completion of the construction works. This



report is to ascertain whether the construction works created any structural damage to adjoining buildings and or infrastructure.

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

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

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

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

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

166. A workplace travel plan is to be prepared to encourage the use of non-car commuting transport.

**Reason:** To reduce dependence on cars in the Parramatta CBD.

167. Prior to the issue of the Occupation Certificate a final Loading Dock Management Plan is to be submitted to the satisfaction of Council's Manager of Development and Traffic Services detailing the operation of the loading dock and the maximum size of vehicles that will be using the dock taking into account any changes that might have occurred to the shared basement parking area within the wider Parramatta Square basement.

**Reason:** To ensure satisfactory operation of the loading dock.

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

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

169. The artworks must be installed in accordance with the arts plan approved to satisfy conditions elsewhere in this Notice, and to the satisfaction of Council, prior to issue of any Occupation Certificate.

**Reason:** To ensure the appropriate implementation of the approved public art plan.

170. The developer must submit to the Principal Certifying Authority a letter from the telecommunications company confirming satisfactory arrangements have been made for the provision of telephone and broadband services, prior to the issuing of any Occupation Certificate

**Reason:** To ensure provision of appropriately located telecommunication facilities.

171. A final plan of management (POM) for the function centre must be submitted to Council for approval prior to the issue of any occupation certificate of this area. The plan is to be implemented as approved.

**Reason:** To ensure satisfactory operational arrangements are in place.

172. Six mature trees are to be planted in the Church Street Mall to the west of the proposed tower prior to the issue of any occupation certificate. The size and location of the trees is to be approved in writing by the Manager of Development and Traffic Services.

**Reason:** To provide pedestrian amenity and satisfy the recommendations from Council's microclimate study.

173. Prior to the issue of an occupational certificate pedestrian access, a minimum 3m wide is to be provided:

- (a) from the western railway station concourse pedestrian access to the shared loggia of 6 Parramatta Square at the eastern end of this site through to the southern boundary of 1 Parramatta Square.
- (b) along Darcy Street from western railway station concourse pedestrian access to the eastern boundary of the 8 Parramatta Square site (at the Darcy Street level).
- (c) Along the northern site boundary to create an interim pedestrian link between the station and centenary square.

**Reason:** To maintain appropriate pedestrian access to the train station and restore east-west pedestrian access through the Parramatta Square block at the earliest possible opportunity.

174. Prior to the issue of an Occupation Certificate, the applicant shall provide, to the satisfaction of the Manager of DTSU, structural design certificates to show that the rebuilt Darcy Street has sufficient structural capacity to carry intended traffic and any future traffic load from heavy machinery and trucks required for future maintenance.

**Reason:** To maintain the public domain to a high standard.

175. Prior to the issue of any Occupation Certificate, provide evidence of registration of easements to the satisfaction of the Manager of DTSU, for the purpose of providing 24 hour public access, as follows:

- (a) For the public lift on Basement Level 01 and all relevant pedestrian connections linking it to the public domain at the lower ground floor and (Parramatta Square) and the upper ground floor (Darcy Street);
- (b) For all public domain walkways at the lower ground floor connecting with Parramatta Railway Station and Parramatta Square
- (c) For all public domain areas at the upper ground floor level (Darcy Street).

- (d) The incorporation of required Equitable Access requirements (shorelines) within the building and along pathways provide site access.

**Reason:** To ensure appropriate public access.

176. Prior to the issue of any Occupation Certificate right of carriageway access from the Darcy and Macquarie Street Dive structures to the basement of the development site are to be registered on the relevant titles. Documentary evidence is to be provided to the satisfaction of the Manager of DTSU.

**Reason:** To secure the required vehicular access.

177. Prior to the issue of an Occupation certificate the applicant is to provide documentary evidence to the satisfaction of the Manager DTSU that all existing service easements within the church street road reserve are to be registered with appropriate easements to secure rights of access and maintenance nominating Council as the beneficiary.

**Reason:** To ensure appropriate easements are in place.

178. Prior to the issue of any Occupation Certificate, the applicant is to provide evidence of registration of appropriate easements to the satisfaction of the Manager of DTSU, for any zone below a building overhang and columns which encroach, overhang, penetrate or otherwise encumber the public domain nominating Council as landowner, and are to include the following:

- (a) Easement for encroachment structures to remain;
- (b) Easements for public access (24 hour);
- (c) Easement for support; and
- (d) Easement for maintenance.

**Reason:** To ensure appropriate easements are in place.

179. A light spillage diagram is required to be prepared by a suitably qualified lighting engineer and submitted to the Principal Certifying Authority prior to the issue of the Occupation Certificate. This diagram is to demonstrate light spillage generated by the proposed floodlighting system complies with the requirements of Australian Standard AS4284 - Control of Obtrusive Effects of Outdoor Lighting. Light spillage mitigating measures shall be maintained, at all times.

**Reason:** To prevent light spillage onto adjoining properties.

180. A Wayfinding Strategy for the site shall be submitted to the Council for approval and implemented prior to issue of any occupation certificate. The strategy shall comprise signage sufficient to ensure clear instructions for public access, either to locations within the building or otherwise through the site to connect with key public facilities or locations.

The Strategy shall include the following details, at a minimum:

- (a) All proposed information and directional signage, including proposed text and colours

- (b) All proposed Braille and tactile signage
- (c) All Tactile Ground Surface Indicator locations and designs (for directional Tactile Ground Surface Indicators consideration can be given to alternative paving solutions, landscaping planters or structural screens that provide a contrasting surface with a nominal detection width ranging from 400-600mm).
- (d) Clear and unobstructed accessible paths of travel are to be provided on at least one side of each pathway to, from and within the site, with minimal changes in direction or levels.
- (e) The location of proposed street furniture, including seating, bins, drainage grates, outdoor dining areas and barriers, and water fountains
- (f) Identification and evidence of compliance with any relevant Australian Standards.

**Reason:** To maximise the quality of the public domain.

#### ESD

181. Prior to the issue of an Occupation Certificate, details must be submitted to the Certifying Authority demonstrating:
- (a) The building achieves an As-built 5 star Green Star rating - Australian Best Practice Sustainable Design as defined by the Green Building Council of Australia (GBCA). In this regard a Design Review certified rating from the Green Building Council of Australia shall be provided to the PCA;
  - (b) The base building and its services achieve a minimum rating of 5 stars under the NSW Office of Environment and Heritage National Australian Built Environment Rating System (NABERS Energy).
  - (c) Compliance with all strategies nominated in the WSP report dated August 2017, (reference: 2271242-ESD-REP-00 Rev01); and
  - (d) Compliance with conditions elsewhere in this Notice regarding the provision of dual water reticulation systems and the design of building services for connection to a precinct energy infrastructure

**Reason:** To ensure the sustainability of the building.

#### Environmental Health – Acoustic

182. Prior to the issue of an occupational certificate (Interim or Final) written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority and Parramatta City Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:
- (a) Acoustic Report No. 2271242-171213-TK-6-8, dated December 2017, prepared by WSP

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

Environmental health - Waste

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

**Reason:** To comply with the requirements of the BCA.

Development Engineer

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

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

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

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

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

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

showing the relative location of the On-Site Detention facility, including its relationship to the building footprint.

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

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

186. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Occupation Certificate. The application must be made through an authorised Water Servicing Coordinator.

The proponent is advised to make an early application for the certificate, as there may be water and wastewater pipes to be built that can take some time. This can also impact on other services and buildings, driveways or landscape designs.

Please refer to “Your Business” section of Sydney Water’s web site at [www.sydneywater.com.au](http://www.sydneywater.com.au) then the “e-developer” icon or telephone 13 20 92.

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

187. A building plan approval must be obtained from Sydney Water Tap in™ to ensure that the approved development will not impact Sydney Water infrastructure and/or easement, and if further requirements need to be met.

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

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

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

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

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

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

189. An evacuation report and procedure shall be prepared by an appropriate 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 etc.). The report shall be submitted to the Principal Certifying Authority

prior to the issue of the Occupation Certificate. A copy of the report shall be attached to the Occupation Certificate when forwarded to Council.

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

190. Details of the following are to be submitted for the approval of Council's Service Manager DTSU, and which must be obtained prior to the release of Council's approval for construction (of future Council assets) and implemented prior to Occupation Certificate to Council's satisfaction.

Details must be consistent with Council's Stormwater Disposal Policy 2015, Council's DCP 2011 and Water Sensitive Urban Design Strategy for Parramatta Square Precinct by AECOM/ Parramatta City Council 14 May 2013, Council civil specifications and other contemporary practice.

Working details of public domain stormwater design and management and civil infrastructure works shall be generally in accordance with the Development Application but must address the following:

- a) Public Domain – Stormwater Drainage

Drainage detailing must ensure that surface water from the public domain areas does not normally run into private areas, buildings etc. The planned design surfaces within the Parramatta Square are not mainstream overland flow paths but are of nominal capacity, and simply self-draining, allowing any surface water to flow out to Macquarie Street. Within the Parramatta Square only, this approach is valid, provided that major underground drainage is provided for the internal stormwater from Parramatta Square and associated buildings to 100 ARI (1% AEP) capacity.

Stormwater reticulation pipes and culverts only within and draining the Parramatta Square and its buildings are to be of 1% AEP (100 ARI) capacity with 500mm freeboard above 1% AEP top water level to corresponding finished floor levels, (unless otherwise approved by Council).

A 1% AEP (100 ARI) Council stormwater pipeline or culvert is to be provided to convey stormwater from 4 PS and 6 PS (and the Square and other buildings) northwards across the Parramatta Square to Macquarie Street via the former Civic Place. Full design details of this are required. This includes sidelines in Parramatta Square generally in accordance with the DA documentation. The applicant is to liaise with Council regarding a suitable form of design and construction for this line. Flows in this line may take into account the effects of On Site Detention within 4, 6 and 8 PS.

To avoid surcharging in Macquarie Street, this reticulation is to be constructed as far as is necessary from 4 and 6 Parramatta Square across the Square (former Civic Place), along Macquarie Street and into Smith Street to connect to the existing piped public drainage system and enable effective provision to be made for surcharge in Smith Street without causing safety or nuisance problems. Such

work is to be generally in accordance with Council's standard engineering specifications and to Council approval. Council will consider, and may require as an alternative, a trunk drainage route to pass through the future Horwood Place precinct northwards to the Parramatta River.

b) Road and Civil Works

New road works in the perimeter road carriageway frontages of the Parramatta Square precinct shall incorporate standard or approved stone 150mm kerb and gutter and road drainage with kerb inlet pits for the 5% AEP (20 ARI) stormflow event. A hydrological and hydraulic catchment study of the local drainage system shall be undertaken. This study shall detail the pre-development Council stormwater drainage network using the DRAINS model or equivalent and shall be run to determine the capacity of the existing system and resulting overland flows. Improvements to the existing Council downstream stormwater drainage pipe system may be required in order to achieve a 20 ARI design capacity if required by Council. This should be identified in the detailed DRAINS model. A hydraulic check of the site drainage system will need to be determined at the point of connection to Council's drainage system to ensure that there are no issues of backwater flows resulting in flooding of any of the basement car parks.

**Reason:** To ensure stormwater is appropriately managed.

191. On completion of the basement and prior to occupation or use of the basement or driveway/accessway, the driveway/accessway and any openings to the basement must be flood-proofed to prevent ingress of flood waters up to the Probable Maximum Flood (PMF) that is to RL.11.8m AHD minimum. This may include provision of continuous bunding, including crests on permanent accessways, to the flood planning level, self-actuated flood gates and flood doors to the PMF level.

These measures must be generally in accordance with Flood Strategy Updated for 6 and 8 PS by BG&E (dated 24/05/2018 updated on 13 08 2018) Appendices B (Floor Plans with flood gates, flood doors etc.)

A Work as Executed drawing showing compliance with these provisions, signed by a Registered Surveyor, shall be submitted for the approval of Council's Team Leader Technical Services prior to issue of an Occupation Certificate for the whole development.

**Reason:** Flood protection of basement.

192. Prior to issue of the final Occupation Certificate, a restriction on the use of land and a positive covenant must be placed on the title of the property for the maintenance of all flood-proofing measures in perpetuity, to the satisfaction of Council.

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



193. Prior to issue of the final Occupation Certificate, a restriction on the use of land and a positive covenant must be placed on the title of the property for the maintenance of all flood-proofing measures in perpetuity, to the satisfaction of Council.

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

194. On completion of the works and prior to issue of an Occupation Certificate for PS6 and 8 the land that was formerly the Darcy Street public road reserve and which had been incorporated into the PS 6 and 8 sites, now privately owned, must be returned to public ownership, either by rededication as public road, if this is possible, or by creation of a stratum lot over the road and associated services of unlimited height (but limited depth) that is in the full ownership of the City of Parramatta Council.

Easements should also nominate that access is available to the employees and visitors of the Sydney Water Building (1 Smith Street, Parramatta).

If necessary appropriate easements and instruments are to be placed on this title to secure public interests in this land, including full public access by vehicles and pedestrians, use for stormwater drainage and other services as necessary.

**Reason:** To secure the timed dedication of the public road reserve.

#### Sydney Trains

195. Prior to the issuing of an Occupation Certificate the Applicant is to submit the as-built drawings to Sydney Trains and Council. The as-built drawings shall indicate that there has been no encroachment into Sydney Trains land or easements. The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

**Reason:** To protect vital infrastructure.

196. In the event that Sydney Trains or Transport for NSW require the placement of an easement or covenant on title indemnifying those entities from any damage that may be caused in the event the suspended road concrete slab has not been designed to withstand the equipment used by Sydney Trains or Transport for NSW, the required easement/covenant is to be placed on title prior to the opening up of the new Darcy St to public or Sydney Trains/Transport for NSW use. The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

**Reason:** To protect vital infrastructure.

197. In the event that the new Darcy Street is opened up for public or Sydney Trains/Transport for NSW use prior to its dedication as a public road, the Applicant shall registration an easement for unrestricted access for the benefit of Sydney Trains and Transport for NSW. The Principal Certifying Authority is not to issue the Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

**Reason:** To protect vital infrastructure.

#### Transport for NSW

198. Prior to the issue of the Occupancy Certificate, the applicant shall implement the suggested measures included in the Electrolysis Report.

**Reason:** To comply with the requirements of TfNSW.

#### NSW Police

199. In addition to any other requirements of this notice, the development shall incorporate the recommendations outlined on page 11 of CPTED Report (Revision No. 3 -14/12/2017), prepared by WSP. The nominated strategies must integrate with the wider Parramatta Square Precinct in relation to:

- CCTV;
- Internal/external lighting in accordance with AS/NZS 1158, through the engagement of a suitable qualified lighting engineer;
- Territorial Reinforcement;
- Space Management; and
- Access Control.

Evidence to demonstrate compliance with this condition must be submitted to the Principal Certifying Authority and Council for the Approval of the Manager of Development and Traffic Services, prior to the issue of the relevant occupation certificate.

**Reason:** To comply with the recommendations of the NSW Police Force, Dept. of Defence, the CPTED report and the relevant Australian Standards.

### **The Use of the Site**

#### Planning

200. The specific use or occupation of the retail premises within the development must be the subject of further development approval for such use or occupation.

**Reason:** To ensure development consent is obtained prior to that use commencing and to ensure proposed retail tenancies comply with Council requirements.

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

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

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

**Reason:** To minimise noise impact of mechanical equipment.

203. No materials, goods or vehicles associated with the use of the premises are to be stored or displayed on or within the street reserve or other public area.

**Reason:** To ensure the integrity of Council's assets is protected and to ensure unobstructed pedestrian movement in the vicinity of the proposal.

204. No internal commercial office 'fitout' works are approved as a part of this application and are subject to separate first use of premise development consent.

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

205. Roller shutters are not to be placed over any external door or window of the premises. Any security grill is to be located on the inside of the glass shop front and must be an open grille able to be seen through.

**Reason:** To provide an appropriate streetscape appearance.

206. Any use of the premises as a Place of Public Entertainment is subject to further approval of Council.

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

207. 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.

208. All new and existing fire safety measures identified in the Fire Safety Schedule shall be maintained in working condition at all times.

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

#### Road Maritime Services

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

**Reason:** To comply with the concurrence requirements of RMS.

### Outdoor Dining

210. No approval is granted for the outdoor dining areas shown within the architectural plan set endorsed by this consent. Separate consent shall be sought for any outdoor dining areas. Outdoor dining areas shall be designed to coordinate with the retail tenancies and details shall be provided of all strategies to mitigate environmental factors such as sun, wind and rain.

**Reason:** To ensure the amenity of the outdoor dining area.

211. Prior to the placement of tables, chairs, structures and/or safety barriers within the development consent approved area an approval to use a footway for outdoor dining under the Roads Act 1993 and Local Government Act 1993, must be obtained.

**Reason:** To ensure the amenity of the outdoor dining area and that there is approval for activities on Council's footways.

### Environmental Health – Acoustic

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

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

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

213. 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.

214. There are to be no external speakers at the premises.

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

### Environmental Health – Waste

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

- (a) The size being large enough to accommodate all waste generated on the premises, with allowances for the separation of waste types;

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

**Reason:** To ensure provision of adequate waste storage arrangements

216. 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.

217. 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.

218. 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.

#### Sydney Water

219. 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.

### **ADVISORY NOTES**

#### Social Outcomes

- A. The proponent is encouraged to engage with Council and other key stakeholders in ongoing precinct planning for the Parramatta Square site, including:
  - That, the proponent continues to engage in the Parramatta Skills Exchange program as per contract requirements
  - That, the proponent incorporates a high level of security and hoardings around the site for safety and to prevent displaced community members (e.g. homeless people rough sleeping) accessing the building site.

- That, the proponent incorporates Universal Design Principles in the proposed development so the building and surrounding public areas benefit everyone, regardless of the level of ability or disability.
- That, the proponent considers the opportunity to provide 2000 Sq. m of low cost leasable office space and community meeting rooms.
- That, a concession pricing policy be included within the function and event centre plan of management document, committing to the following (in line with Council's community strategic plan which aims to create a FAIR community, and Council's current fees and charges schedule).

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