

## **Attachment 1 – Draft Conditions of Consent**

**DA/436/2016/I**

### **General Matters**

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

<b>Drawing No.</b>	<b>Prepared By</b>	<b>Dated</b>
Title Page, DA-A-0040-02 -03	JPW	02/03/18 19/09/18
Site Plan, DA-A-0060-02	JPW	02/03/18
Upper Ground, DA-A-0075-01	JPW	07/10/16
Lower Ground, DA-A-0076-01	JPW	07/10/16
Upper Ground Cross Sections, DA-A-0077-01	JPW	07/10/16
Upper Ground Cross Sections, DA-A-0078-01	JPW	07/10/16
Upper Ground Cross Sections, DA-A-0079-01	JPW	07/10/16
Lower Ground Cross Sections, DA-A-0080-01	JPW	07/10/16
Upper Ground Cross Sections, DA-A-0081-01	JPW	07/10/16
Long Sections, DA-A-0082-01	JPW	07/10/16
Long Sections, DA-A-0083-01	JPW	07/10/16
Precinct Basement Level 4, DA-A-0501-04	JPW	02/03/18
Precinct Basement Level 3, DA-A-0502-03	JPW	02/08/17
Precinct Basement Level 2, DA-A-0503-03	JPW	02/08/17
Precinct Basement Level 1, DA-A-0504-03	JPW	02/08/17
Precinct Basement Level 1 Mezzanine, DA-A-0505-03	JPW	02/08/17
Precinct Master Plan Lower Ground, DA-A-0510-01	JPW	07/10/16
Precinct Master Plan Upper Ground, DA-A-0511-01	JPW	07/10/16
Basement Level 4, DA-A-1001-04	JPW	02/03/18
Basement Level 3, DA-A-1002-03	JPW	02/08/17
Basement Level 2, DA-A-1003-03	JPW	02/08/17
Basement Level 1, DA-A-1004-03	JPW	02/08/17
Basement Level 1 Mezzanine, DA-A-1005-03	JPW	02/08/17
Lower Ground Floor, DA-A-1010-01	JPW	07/10/16
Upper Ground Floor, DA-A-1011-01	JPW	07/10/16
Podium Level 1, DA-A-1012-03	JPW	02/03/18

Podium Level 2, DA-A-1013-03	JPW	02/03/18
Podium Level 3, DA-A-1014-03	JPW	02/03/18
Tower Level 1, DA-A-1021-02	JPW	02/03/18
Tower Level 2, DA-A-1022-02	JPW	02/03/18
Tower Level 3-10, DA-A-1023-02	JPW	02/03/18
Tower Level 11, DA-A-1031-02	JPW	02/03/18
Tower Level 12, DA-A-1032-02	JPW	02/03/18
Tower Level 13, DA-A-1033-02	JPW	02/03/18
Tower Level 14, DA-A-1034-02	JPW	02/03/18
Tower Level 15-17, DA-A-1035-02	JPW	02/03/18
Tower Level 18, DA-A-1038-00	JPW	02/03/18
Tower Level 19, DA-A-1039-02	JPW	02/03/18
Tower Level 20, DA-A-1040-02	JPW	02/03/18
Tower Level 21-27, DA-A-1041-02	JPW	02/03/18
Tower Level 28, DA-A-1048-02	JPW	02/03/18
Tower Level 29, DA-A-1049-02	JPW	02/03/18
Tower Level 30-32, DA-A-1050-02	JPW	02/03/18
Tower Level 33, DA-A-1053-02	JPW	02/03/18
Tower Level 34, DA-A-1054-02	JPW	02/03/18
Tower Level 34 Mezzanine, DA-A-1055-00	JPW	02/03/18
Tower Roof, DA-A-1070-02 -03	JPW	<del>02/03/18</del> <b>19/09/18</b>
<b>Tower Roof Upper, DA-A-1071-00</b>	<b>JPW</b>	<b>19/09/18</b>
E-W Section, DA-A-3000-04 -05	JPW	<del>02/03/18</del> <b>19/09/18</b>
N-S Section, DA-A-3010-05 -06	JPW	<del>02/03/18</del> <b>19/09/18</b>
N-S Section, DA-A-3011-03	JPW	02/08/17
Upper & Lower Ground, DA-A-4500-01	JPW	07/10/16
Sections, DA-A-4501-01	JPW	07/10/16
Upper & Lower Ground, DA-A-4502-01	JPW	07/10/16
Sections, DA-A-4503-01	JPW	07/10/16
Section, DA-A-4504-01	JPW	07/10/16
Basement, DA-A-4510-01	JPW	07/10/16
Public Domain, DA-A-4511-01	JPW	07/10/16
Detail Sections, DA-A-4512-01	JPW	07/10/16
Upper & Lower Ground, DA-A-4513-01	JPW	07/10/16
Sections, DA-A-4514-01	JPW	07/10/16
Section, DA-A-4515-01	JPW	07/10/16
Concept Drawings Area Diagrams GFA, DA-A-5201-02 -03	JPW	<del>20/02/18</del> <b>19/09/18</b>
Rendered Plan, DA-A-8060-01	JPW	07/10/16

Rendered Plan, DA-A-8061-01	JPW	07/10/16
Rendered Plan, DA-A-8062-01	JPW	07/10/16
Rendered Plans, DA-A-8123-01	JPW	07/10/16
Rendered Elevation, DA-A-8200-04 <b>-05</b>	JPW	<del>02/03/18</del> <b>19/09/18</b>
Rendered Elevation, DA-A-8201-04 <b>-05</b>	JPW	<del>02/03/18</del> <b>19/09/18</b>
Rendered Elevation, DA-A-8202-04 <b>-05</b>	JPW	<del>02/03/18</del> <b>19/09/18</b>
Rendered Elevation, DA-A-8203-01	JPW	07/10/16
Rendered Section, DA-A-8310-02 <b>-03</b>	JPW	<del>02/03/18</del> <b>19/09/18</b>
Rendered Section, DA-A-8311-01	JPW	07/10/16
3D Perspective, DA-A-8800-04 <b>-03</b>	JPW	<del>07/10/16</del> <b>19/09/18</b>
3D Perspective, DA-A-8801-01	JPW	07/10/16
3D Perspective, DA-A-8802-01	JPW	07/10/16
3D Perspective, DA-A-8803-01	JPW	07/10/16
4-6 Parramatta Square Stage 1 CC, Basement Retention & Bulk Excavation, <del>CD-A-3000, Revision 09</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>08/11/16</del> <b>19/09/18</b>
4 Parramatta Square Stage 2 CC, Basement Structure construction to upper ground floor, including in-ground services, <del>CD-A-3000, Revision 09</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>08/11/16</del> <b>19/09/18</b>
4 Parramatta Square Stage 3 CC, Darcy St Ramp structure construction, <del>A-4-3001, Revision T05</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>14/07/17</del> <b>19/09/18</b>
4 Parramatta Square Stage 4 CC, Structure above upper floor to roof, <del>A-4-3000, Revision T05</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>14/07/17</del> <b>19/09/18</b>
4 Parramatta Square Stage 5 CC, Basement, podium and tower – façade services and base building fitout, <del>A-4-3000, Revision T05</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>14/07/17</del> <b>19/09/18</b>
4 Parramatta Square Stage 6 CC, Sydney Trains break through works & station modifications to stairs, lifts & awnings, <del>Revision T05</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>14/07/17</del> <b>19/09/18</b>
4 Parramatta Square Stage 7 CC, Darcy Street pavement and finishes, <del>A-4-3000, Revision T05</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>14/07/17</del> <b>19/09/18</b>

4 Parramatta Square Stage 8 CC, External Works – finishes and landscaping, <del>A-4-3000, Revision T05, dated 14/07/17</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>14/07/17</del> <b>19/09/18</b>
6 Parramatta Square Stage 9 CC, 6PS Basement Structure construction to upper ground floor, <del>CD-A-3000, Revision 09</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>08/11/16</del> <b>19/09/18</b>
6 Parramatta Square Stage 10 CC, 6PS Structure above upper floor to roof, <del>A-4-3000, Revision T05</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>14/07/17</del> <b>19/09/18</b>
6 Parramatta Square Stage 11 CC, 6PS Basement, podium & tower – façade, services and building fitout, <del>A-4-3000, Revision T05, dated 14/07/17</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>14/07/17</del> <b>19/09/18</b>
6 Parramatta Square Stage 12 CC, External Works – finishes & landscaping, <del>A-4-3001, Revision T05, dated 14/07/17</del> <b>DA-A-3000, Revision 5</b>	JPW	<del>14/07/17</del> <b>19/09/18</b>
Cover Sheet – Sydney Trains Package, S15243-S0001-B	BG&E	10/10/16
General Notes – Sydney Trains Package, S15243-S0005-B	BG&E	10/10/16
Retention Wall Plan – Zone B, S15243-S0051-C	BG&E	10/10/16
Retention Wall Plan – Zone C, S15243-S0052-C	BG&E	10/10/16
Retention Wall Elevations Sheet 1, S15243-S0055-D	BG&E	10/10/16
Retention Wall Sections Sheet 1, S15243-S0060-D	BG&E	10/10/16
Retention Wall Sections Sheet 2, S15243-S0061-D	BG&E	10/10/16
Retention Wall Sections Sheet 3, S15243-S0062-B	BG&E	10/10/16
Retention Wall Sections Sheet 4, S15243-S0063-C	BG&E	10/10/16
Retention Wall Sections Sheet 5, S15243-S0064-C	BG&E	10/10/16
Retention Wall Sections Sheet 8, S15243-S0067-B	BG&E	10/10/16
Retention Wall Sections Sheet 9, S15243-S0068-B	BG&E	10/10/16

Typ. Basement Excavation Staging Plan – Zone B, S15243-S0075-B	BG&E	10/10/16
Typ. Basement Excavation Staging Plan – Zone C, S15243-S0076-B	BG&E	10/10/16
Alternative 8 PS Construction Sequence, S15243-S0077-B	BG&E	10/10/16
South Wall Construction Methodology Sheet 1, S15243-S0078-B	BG&E	10/10/16
South Wall Construction Methodology Sheet 2, S15243-S0079-B	BG&E	10/10/16
South Wall Construction Methodology Sheet 3, S15243-S0080-B	BG&E	10/10/16
South Wall Construction Methodology Sheet 4, S15243-S0081-B	BG&E	10/10/16
South Wall Construction Methodology Sheet 5, S15243-S0082-B	BG&E	10/10/16
Retention Typical Details, S15243-S0083-B	BG&E	10/10/16
Locality Plan and Drawing Index, S15243-C-0000-B	BG&E	07/10/16
Roadworks and Drainage Plan Overall, S15243-C-0200-B	BG&E	07/10/16
Roadworks and Drainage Plan Sheet 1, S15243-C-0201-B	BG&E	07/10/16
Roadworks and Drainage Plan Sheet 2, S15243-C-0202-B	BG&E	07/10/16
Darcy Street Longitudinal Section, S15243-C-0230-B	BG&E	07/10/16
Darcy Street Cross Sections Sheet 1, S15243-C-0240-B	BG&E	07/10/16
Darcy Street Cross Sections Sheet 2, S15243-C-0241-B	BG&E	07/10/16
Darcy Street Cross Sections Sheet 3, S15243-C-0242-B	BG&E	07/10/16
Darcy Street Cross Sections Sheet 4, S15243-C-0243-B	BG&E	07/10/16
Erosion and Sediment Control Plan, S15243-C-0700-B	BG&E	07/10/16
Erosion and Sediment Control Details, S15243-C-0710-B	BG&E	07/10/16

Document(s)	Prepared By	Dated
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Accessibility Design Review in Response to Parramatta City Council DA Amendment Condition, 71626-0.1	McKenzie Group	5/10/16
Acid Sulfate Soil Management Plan, 51853-104660	JBS&G	22/07/16
Acoustic Noise and Vibration Assessment Report, 60502045-F	AECOM	6/10/16
Architectural Design Report, Rev: 01	JPW	7/10/16
DEAP submission	JPW	28/10/2016
Building Code of Australia Report, 071110-03BCA-C	McKenzie Group	03/06/16
Building Engineering and Sustainability Performance Brief, 60502045-C	AECOM	27/05/16
Civil Infrastructure Report, S15243-RPT-C-001-2	BG&E	7/10/16
Crime Prevention through Environment Design Assessment, Rev: 4	AECOM	27/10/16
DA Schematic Design Report, S15243-DESBRF-005-E	BG&E	02/06/16
Design Review Accessibility Compliance Statement, 71626	McKenzie Group	03/06/16
Ecologically Sustainable Development Report, RPT-ESD-DA.01-03	AECOM	03/06/16
Electrolysis Testing, W13186B/J740	CCE	6/10/16
Environmental Wind Speed Measurements on a Wind Tunnel Model, 66/16	MEL	25/07/16
GFA Schedule DA-A-9005-Revision 2 -03	JPW	<del>02/03/18</del> 19/09/18
Letter Re: Addendum – Transport Impact Assessment for Revised Development Application	GTA Consultants	10/10/16
Letter Re: Comments on Wind Environment Review, WC585-05F03- Review Comments	Windtech	14/10/16
Letter Re: Fire Engineering Letter of Support – Rev B	AECOM	27/05/16
Letter Re: Pedestrian Wind Environment, WC585-04F02(rev1)- WE Letter	Windtech	16/08/16
Letter Re: Response to Council Request for Further Information	GTA	19/09/16
Letter Re: Site Contamination Assessment – Cover Advice, 50746 - 100967	JBS&G	25/06/16

Letter Re: Temporary Bus Rerouting	GTA Consultants	23/09/16
Letter Re: Temporary Traffic and Pedestrian Signal Modification	GTA Consultants	23/09/16
Overarching Site Remedial Action Plan, 50746/100723-1	JBS&G	20/10/15
Parramatta Square Construction Transport Calculations, 11602	WT Partnership	Jul-15
Parramatta Square Precinct Redevelopment, SYD1509100.0.2.RPT-002-0.5	WSP	Aug-15
Parramatta Square Flood Risk Assessment Report, S15243-REP-C-0001-0	BG&E	30/05/16
Pedestrian Wind Environment Study, WC585-05F02(REV0)	Windtech	13/10/2016
Project Management Plan	CPM Consulting Services Pty Ltd	Oct-16
Rail Interface Report, S15243-RAILINTER RPT-001-A	BG&E	7/10/16
Report on Geotechnical Investigation, 84771.05	Douglas Partners	5/10/16
Report on Numerical Modelling, 84771.05	Douglas Partners	5/10/16
Site Stormwater Management Report, 60502045-C	AECOM	6/10/16
Social Impact Assessment, 60502045-2	AECOM	17/06/16
Solar Reflectivity Study, 60502045-4	AECOM	03/06/16
Statement of Environmental Effects, Rev: 1	Walker	14/10/16
Transport Impact Assessment, 16S1313000-C	GTA	03/06/16
Waste Management Plan, Rev: A	Elephants Foot	03/06/16

**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.

**(Condition Modified by DA/436/2016/I dated xx/xx/xxxx)**

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**BUILDING CODE OF AUSTRALIA AND AUSTRALIAN STANDARDS**

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 on the following plan:

- 4-6 Parramatta Square Stage 1 CC, Basement Retention & Bulk Excavation, ~~CD-A-3000, Revision 09, dated 08/11/16~~ **DA-A-3000, Revision 5, dated 19/09/18**
- 4 Parramatta Square Stage 2 CC, Basement Structure construction to upper ground floor, including in-ground services, ~~CD-A-3000, Revision 09, dated 08/11/16~~ **DA-A-3000, Revision 5, dated 19/09/18**
- 4 Parramatta Square Stage 3 CC, Darcy St Ramp structure construction, ~~A-4-3001, Revision T05, dated 14/07/17~~ **DA-A-3000, Revision 5, dated 19/09/18**
- 4 Parramatta Square Stage 4 CC, Structure above upper floor to roof, ~~A-4-3000, Revision T05, dated 14/07/17~~ **DA-A-3000, Revision 5, dated 19/09/18**
- 4 Parramatta Square Stage 5 CC, Basement, podium and tower – façade services and base building fitout, ~~A-4-3000, Revision T05, dated 14/07/17~~ **DA-A-3000, Revision 5, dated 19/09/18**
- 4 Parramatta Square Stage 6 CC, Sydney Trains break through works & station modifications to stairs, lifts & awnings, ~~Revision T05, dated 14/07/17~~ **DA-A-3000, Revision 5, dated 19/09/18**
- 4 Parramatta Square Stage 7 CC, Darcy Street pavement and finishes, ~~A-4-3000, Revision T05, dated 14/07/17~~ **DA-A-3000, Revision 5, dated 19/09/18**
- 4 Parramatta Square Stage 8 CC, External Works – finishes and landscaping, ~~A-4-3000, Revision T05, dated 14/07/17~~ **DA-A-3000, Revision 5, dated 19/09/18**



- 6 Parramatta Square Stage 9 CC, 6PS Basement Structure construction to upper ground floor, ~~CD-A-3000, Revision 09, dated 08/11/16~~ **DA-A-3000, Revision 5, dated 19/09/18**
- 6 Parramatta Square Stage 10 CC, 6PS Structure above upper floor to roof, ~~A-4-3000, Revision T05, dated 14/07/17~~ **DA-A-3000, Revision 5, dated 19/09/18**
- 6 Parramatta Square Stage 11 CC, 6PS Basement, podium & tower – façade, services and building fitout, ~~A-4-3000, Revision T05, dated 14/07/17~~ **DA-A-3000, Revision 5, dated 19/09/18**
- 6 Parramatta Square Stage 12 CC, External Works – finishes & landscaping, ~~A-4-3001, Revision T05, dated 14/07/17~~ **DA-A-3000, Revision 5, dated 19/09/18**

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

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

**(Condition Modified by DA/436/2016/I dated xx/xx/xxxx)**

- 3.A Any reference to relevant construction and occupation certificates shall relate to the staging plan approved on 22/11/2017 as part of DA/436/2016/F (Drawing Number A-4-3001, Rev T05) in so far as conditions are to be satisfied in relation to the 4 Parramatta Square Tower prior to the release of relevant construction certificates (Stage 1CC - 8CC) and any occupation of the 4PS tower. Conditions are then to be satisfied in relation to the 6 Parramatta Square tower prior to the release of construction certificates (Stage 9CC – 12 CC) and any occupation of the 6 Parramatta Square Tower.

**Reason:** To facilitate orderly development.

**(Condition added by DA/436/2016/G dated 14/08/2018)**

4. Demolition work must be carried out in accordance with Australian Standard 2601-2001 - Demolition of Structures and the requirements of the NSW WorkCover Authority.

**Reason:** To ensure appropriate demolition practices occur.

#### **CONTAMINATION**

5. 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.

6. 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.

7. All remediation works shall be carried out in accordance with:
  - (a) Clauses 17 and 18 of State Environmental Planning Policy 55 - Remediation of Land; and
  - (b) Overarching Site Remedial Action Plan, Ref: 50746/100723-1, by JBS&G, dated 20/10/15.

The notice of remediation shall be provided to the Council in accordance with the timeframe set out in State Environmental Planning Policy 55.

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

8. 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.

9. A covenant shall be registered on the title of the land and a copy of the title submitted to Council and the principal certifying authority prior to the issue of an occupation certificate, giving notice of the former use and contamination of the site and the existence of the encapsulated cells containing contaminated material.

**Reason:** To ensure that the encapsulated cell is not breached and to prevent the future occurrence of a health hazard and the spread of contamination.

10. A covenant shall be registered on the title of the land binding the owners and future owners to be responsible for ongoing maintenance and any future rehabilitation works required in terms of the encapsulated materials,

including the discharge or prevention of discharge there from of any contaminants or for any works required by the Environment Protection Authority.

**Reason:** To ensure that the encapsulated cell is not breached and to prevent the future occurrence of a health hazard and the spread of contamination.

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

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

12. 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.

#### **EXTERNAL AUTHORITIES**

13. The development is to be carried out:
  - (a) In accordance with the General Terms of Approval of the NSW Office of Water (Reference No. 10 ERM2016/0505) dated 21 July 2016. (Attachment B to this Notice);
  - (b) In accordance with decision under the Airports (Protection of Airspace) Regulation 1996 dated ~~19 October 2016~~ **17 December 2018**. (Attachment C to this Notice); and
  - (c) In accordance with the conditions listed in the Sydney Trains letter dated 11 April 2017. (Attachment D to this notice).

**Note:** The General Terms of Approval are not the Controlled Activity Approval. The applicant must apply to Water NSW for a Controlled Activity Approval before the commencement of any works.

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

#### ***(Condition Modified by DA/436/2016/I dated xx/xx/xxxx)***

14. 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. 16/186) dated 19 October 2016.

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

### **HERITAGE**

15. Prior to the issue of any Construction Certificate, an Aboriginal Heritage Impact Permit (AHIP) under section 90 of the *National Parks and Wildlife Act 1974* shall be obtained from the Office of Environment and Heritage for the site area not covered by AHIP #C0001968, AHIP #C0001413 and AHIP #C0001983 if Aboriginal archaeological testing identifies that Aboriginal objects are present and will be harmed. A program of Aboriginal archaeological test excavation is about to commence in this part of the site.

**Reason:** To ensure the proposal does not have an unacceptable impact on items of archaeological significance.

16. Prior to any ground disturbance works commencing on site in the area not already the subject of a permit under section 140 of the Heritage Act 1977, an approval under s140 of the Heritage Act 1977 to remove historical archaeological relics in this area must first be approved by the Heritage Council of NSW or its delegate.

If test excavation within the area of the proposed basement extension between Parramatta Square Precinct 4 to the south identifies historical archaeological relics of state significance, the basement should be removed from this portion of the development as per previous agreement with the Heritage Division on behalf of the Heritage Council of NSW.

**Reason:** To ensure the proposal does not have an unacceptable impact on items of archaeological significance.

### **PUBLIC DOMAIN**

17. All public domain areas shall be supported by a slab with load capacity of 20kpa.

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

18. No approval is given for the detailed design of the public domain areas as defined in plan DA-A-1010 Rev 01. 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.

**WASTE**

19. Separate waste processing and storage facilities are to be provided for office and retail tenants. These facilities should be designed and located so that they cannot be accessed by the public, and are accessible by a private waste contractor for collection. A caretaker is to be appointed by the managing body to be responsible for the management of all waste facilities.

**Reason:** To ensure waste is adequately separated and managed in mixed use developments.

20. 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.

**SYDNEY TRAINS**

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

**Reason:** To protect vital infrastructure.

22. 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.

23. 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.

24. 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.

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25. 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.

26. No scaffolding or hoarding is to be used facing the rail corridor unless prior written approval has been obtained from the Transport for NSW. 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.

27. 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.

#### **SUBDIVISION**

28. No approval is given for subdivision of the site (other than amalgamation). A separate development application is required for such works.

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

#### **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.)

#### **DESIGN AND PUBLIC DOMAIN**

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

- (a) The design architect 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 is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of any design issues throughout the life of the project
- (c) Evidence of the design architect's commission is to be provided to the Council prior to release of the Construction Certificate
- (d) Council's Design Competition Panel (The Jury) is to review and provide comment on the architectural drawings, landscape drawings and samples of all external materials, in particular the external glazing and façade detailing prior to the issue of ~~any~~ the relevant Construction Certificate and ~~any~~ the relevant Occupation Certificate. The design architect of the project is not to be changed without prior notice and approval of the Council.
- (e) The design architect of the project is not to be changed without prior notice and approval of the Council.

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

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

- 30. Prior to the release of the relevant construction certificate the applicant shall submit for the approval of the City Architect details of the façade treatment and all external materials. The information submitted shall include plans to a scale of 1:20. The development shall be completed in accordance with the plans approved to satisfy this condition.
- 31. Prior to the release of the relevant Construction Certificate, the applicant shall submit for the approval of the City Architect revised ground level facades at the lower ground and upper ground which shall address the horizontal form at the ground plane, and presentation of the design, and achieve a human scale. Those outcomes may be realised by providing for increased building indentations, and material changes, between the Sydney Water building, 4 Parramatta Square, 6 Parramatta Square and 8 Parramatta Square, to improve articulation and visual diversity.

The development shall be completed in accordance with the plans approved to satisfy this condition.

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

32. Prior to the issue of the relevant Construction Certificate, the applicant shall lodge revised plans, to the satisfaction of Council, which resolve the following matters:
- (a) The design approach for the pedestrian link between Parramatta Square and Parramatta Railway Station shall be reconsidered in consultation with City of Parramatta and Sydney Trains. The revised design shall:
    - (i) Refine the alignment and increase the width of the thoroughfare to better relate to the pedestrian desire line between Leigh Place and Parramatta Station
    - (ii) In consultation with Sydney Trains, ensure the thoroughfare is wide enough to sustain the projected pedestrian volumes to/from Parramatta Transport Interchange in 2036/2056.
    - (iii) Increase the void to create an enlarged double height space, open to the sky, to improve the spatial character of the link and its public role
    - (iv) Refine the design of building elevations so that they clearly define the entry to the link and Parramatta Railway Station concourse ensuring that the facades clearly articulate the public realm.
  - (b) Overhead parking indicators that guide drivers to vacant spaces will be provided in the parking module north of the roundabout on basement level 01. These are to be installed so that they are visible from the roundabout.
  - (c) End of trip facilities shall to be located within the public car park, and shall be provided to the satisfaction of Council

The development shall be completed in accordance with the plans approved to satisfy this condition.

**Reason:** To protect pedestrian amenity, provide a drop off location within that parking module, and encourage cycling

33. Prior to the issue of a Construction Certificate, the applicant must submit details of all wind mitigation for the approval of Council.

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.

34. 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.

35. External materials must be pre colour coated on manufacture having a low glare and reflectivity finish. The reflectivity index of roof finishes and glazing is to be no greater than 20% so as not to result in glare that causes any nuisance or interference to any person or place. Details must accompany the construction certificate for the approval of the City Architect.

**Reason:** To have a minimal impact on the neighbouring property.

#### **SYDNEY TRAINS**

36. 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.

37. 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.

38. 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.

39. 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.
40. 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 Transport for NSW. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Transport for NSW confirming that this condition has been satisfied.  
**Reason:** To protect vital infrastructure.
41. 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 Transport for NSW 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 Transport for NSW confirming that this condition has been satisfied.  
**Reason:** To protect vital infrastructure.
42. 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 Transport for NSW requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains and Transport for NSW confirming that this condition has been satisfied.  
**Reason:** To protect vital infrastructure.
43. 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.

**Reason:** To protect vital infrastructure.

44. 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.

45. 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 Transport for NSW 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 Transport for NSW written advice to the Applicant on the level of insurance required.

**Reason:** To protect vital infrastructure.

46. 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 Transport for NSW. Prior to the issuing of the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains and Transport for NSW confirming the lodgement of this Bond/Bank Guarantee.

**Reason:** To protect vital infrastructure.

47. 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.

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48. 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.

#### **TRAFFIC AND TRANSPORT**

49. 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 for the approval of the Manager, Traffic and Transport and the City Architect:
- (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%.
  - (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.

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- (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).

#### Oblique Columns

- k). Structures such as oblique 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

- (i) Gravel should not be considered for use on an accessible path of travel
- (ii) 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
- (iii) 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.

50. The SIDRA intersection model shall be revised and corrected in accordance with the requirements set out in the Roads and Maritime letter dated 2 November 2016 (attached). Roads and Maritime requests that the revised SIDRA model be submitted as a SIDRA network model for review and comment prior to the issue of the Construction Certificate.

**Reason:** To ensure the intersection can perform as designed.

51. A maximum of 571 car parking spaces and 1 Car wash bay are to be provided in the underground car parking area for use by the occupants of the buildings hereby approved. Parking spaces are to be provided in accordance with the approved plans referenced in schedule 2 condition 1 and with AS 2890.1, AS2890.2 and AS 2890.6. Details of compliance with this standard are to accompany a Construction Certificate application to the satisfaction of the Certifying Authority.

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

***(Condition Modified by DA/436/2016/H dated 04/07/2018)***

52. A minimum of 9 accessible car-parking spaces must be provided as part of the total car-parking requirements for the office building, and 2 such spaces for the public parking supply. These spaces and access to these spaces must comply with AS2890.6 - 'Parking facilities' - 'Off-street parking for people with disabilities and AS1428.1 - 'Design for access and mobility' - General requirements for access - New building work' 2001 and 2009 and AS1428.4 - 'Design for access and mobility' - 'Tactile ground surface indicators for orientation of people with vision impairment' - 'Means to assist the orientation of people with vision impairment - Tactile ground surface indicators' 1992 and 2009.

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

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

53. 28 of the 571 parking spaces shall have an electric vehicle charging facility in the public domain / underground car park. Details of compliance with this standard are to accompany a Construction Certificate application to the satisfaction of the Certifying Authority.

**Reason:** To provide for use of electric vehicles.

***(Condition Modified by DA/436/2016/H dated 04/07/2018)***

54. The bicycle storage area must be capable of accommodating a minimum of 650 bicycles. 4 Parramatta Square must be capable of accommodating a minimum of 395 bicycles. 6 Parramatta Square must be capable of accommodating a minimum of 255 bicycles. The bicycle storage areas and bicycle rail must be designed to meet the requirements of AS 2890.3 – 2015. Details of compliance with this standard are to accompany a Construction Certificate application to the satisfaction of the Certifying Authority.

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

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

55. Sanitary facilities including showers must be provided within the development and made accessible without charge to cyclists who work in the building. Details must be provided with the plans and specifications accompanying the application for a Construction Certificate.

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

56. Documentary evidence to the satisfaction of the Certifying Authority is to accompany the application for a Construction Certificate confirming the Parramatta Light Rail Program Office has been consulted.

**Reason:** To integrate the proposal with any future light rail projects in the vicinity.

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

**Reason:** To ensure appropriate vehicular manoeuvring is provided.

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

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

59. Ramp access gradients are to comply with Clause 2.5 and Clause 3.3 of AS 2890.1-2004.

**Reason:** To comply with Australian Standards.

60. Appropriate security access measures (security access card reader) shall be provided at the centre of the driveway (not on the wall) to the carpark and a grade of less than 5% for 6m on the approach in accordance with Clause 3.3 (b) of AS 2890.1 - 2004.

**Reason:** To ensure management is provided of the carpark and comply with Australian Standards.

61. All mechanical exhaust ventilation from the car park is to be ventilated away from the property boundaries of the adjoining buildings and public domain, 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’. CO demand management and variable speed fans are to be provided for carpark ventilation. Details showing compliance are to accompany an application for a Construction Certificate.

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

62. The grades of the driveway, including transitions, must comply with Australian Standard 2890.1 (2004) – “Off-street car parking” to prevent the underside of the vehicles scraping. 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.

#### ***FEES AND CHARGES***

63. 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.

- 64A. A monetary contribution comprising ~~\$7,322,492~~ **\$7,336,519.29** is payable to City of Parramatta Council in accordance with ~~Section 94A~~ **Section 7.12** 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 entirety of contribution referred to in this condition is to be secured by way of an insurance bond, which must be provided to Council prior to the release of the Stage 2 construction certificate (4 PS Basement Structure Construction to upper ground floor, including in-ground services).

The insurance bond provided to comply with this condition must:

- (a) be in favour of City of Parramatta Council (ABN 49 907 174 773);
- (b) be payable to City of Parramatta Council immediately upon demand by City of Parramatta Council;
- (c) be issued from an insurer:
  - (i) with a minimum credit rating of A from Standard & Poor's (S&P);
  - (ii) that is subject to APRA regulation and licensed to underwrite insurance bonds by the Australian Securities and Investments Commission; and
  - (ii) with an office within the Sydney metropolitan area that will accept the presentation and cashing of the insurance bond; and
- (d) be on terms that:
  - (i) are unconditional, irrevocable and not subject to any expiry date;

- (ii) are not contingent on any other right or obligation appearing in another document;
- (iii) are consistent with the terms of the approved form of unconditional undertaking attached to the standard form contract AS2124-1992; and
- (iv) permit the City of Parramatta Council to present the insurance bond at any branch/office of the insurer for cashing.

The insurance bonds provided under this condition will be returnable by City of Parramatta Council upon City of Parramatta Council's receipt of payment of the full monetary contribution referred to in this condition.

If the indexation of the monetary contribution referred to in this condition results in an increase to the value of the monetary contribution, a supplementary insurance bond must be provided on each anniversary of the date on which the first insurance bond was provided in accordance with this condition. The:

- (e) value of each supplementary insurance bond must be equivalent to the value of the annual increase to the monetary contribution in accordance with the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician; and
- (f) terms and conditions of each supplementary insurance bond must also meet the requirements described paragraphs (a), (b), (c) and (d) of this condition.

The required monetary contribution must be paid in full prior to the occupation of any commercial floorspace or prior to the release of any Construction Certificate relating Stage 8 of the construction of 4 Parramatta Square described on the plan prepared by JPW Architects listed as follows, whichever is earlier.

4 Parramatta Square Stage 8 CC, External Works – finishes and landscaping, ~~A-4-3000, Revision T05, dated 14/07/17~~ **DA-A-3000, Revision 5, dated 19/09/18**

Council will be entitled to call on any insurance bond provided in compliance with this condition upon the earlier of:

- (i) the:
  - A) release of any Construction Certificate relating to Stage 8 of the construction of 4 Parramatta Square described on the plan prepared by JPW Architects listed as follows 4 Parramatta Square Stage 8 CC, External Works – finishes

and landscaping, ~~A-4-3000, Revision T05, dated 14/07/17~~  
**DA-A-3000, Revision 5, dated 19/09/18**; or

- B) the occupation of any commercial floorspace,  
 without prior payment of the monetary contribution referred  
 to in this condition having been made in full to City of  
 Parramatta Council; or
- (ii) the monetary contribution referred to in this condition having  
 not been paid in full by 31 December 2022.

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

**(Condition Modified by DA/436/2016/I dated xx/xx/xxxx)**

64B. A monetary contribution comprising \$4,575,052.38 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 entirety of contribution referred to in this condition is to be secured by way of an insurance bond, which must be provided to Council prior to the release of the Stage 9 construction certificate (6 PS Basement Structure Construction to upper ground floor).

The insurance bond provided to comply with this condition must:

- (a) be in favour of City of Parramatta Council (ABN 49 907 174 773);
- (b) be payable to City of Parramatta Council immediately upon demand by City of Parramatta Council;
- (c) be issued from an insurer:
  - (i) with a minimum credit rating of A from Standard & Poor's (S&P);
  - (ii) that is subject to APRA regulation and licensed to underwrite insurance bonds by the Australian Securities and Investments Commission; and

- (iii) with an office within the Sydney metropolitan area that will accept the presentation and cashing of the insurance bond; and
- (d) be on terms that:
  - (i) are unconditional, irrevocable and not subject to any expiry date;
  - (ii) are not contingent on any other right or obligation appearing in another document;
  - (iii) are consistent with the terms of the approved form of unconditional undertaking attached to the standard form contract AS2124-1992; and
  - (iv) permit the City of Parramatta Council to present the bond at any branch/office of the insurer for cashing.

The insurance bonds provided under this condition will be returnable by City of Parramatta Council upon City of Parramatta Council's receipt of payment of the full monetary contribution referred to in this condition.

If the indexation of the monetary contribution referred to in this condition results in an increase to the value of the monetary contribution, a supplementary insurance bond must be provided on each anniversary of the date on which the first insurance bond was provided in accordance with this condition. The:

- (e) value of each supplementary insurance bond must be equivalent to the value of the annual increase to the monetary contribution in accordance with the Consumer Price Index (All Groups Index) for Sydney issued by the Australian Statistician; and
- (f) terms and conditions of each supplementary insurance bond must also meet the requirements described paragraphs (a), (b), (c) and (d) of this condition.

The required monetary contribution must be paid in full prior *to the occupation of any commercial floorspace or prior* to the release of any Construction Certificate relating to Stage 12 of the construction of 6 Parramatta Square described on the plan prepared by JPW Architects listed as follows, whichever is earlier.

6 Parramatta Square Stage 12 CC, External Works – finishes & landscaping, A-4-3001, Revision T05, dated 14/07/17

Council will be entitled to call on any insurance bond provided in compliance with this condition upon the earlier of:

- (i) the:
  - A) release of any Construction Certificate relating to Stage 12 of the construction of 6 Parramatta Square described on the plan prepared by JPW Architects listed as follows 6 Parramatta Square Stage 12 CC, External Works – finishes and landscaping, A-4-3001, Revision T05, dated 14/07/17; or
  - B) the occupation of any commercial floorspace, without payment of the monetary contribution referred to in this condition having been paid in full to City of Parramatta Council; or
- (ii) the monetary contribution referred to in this condition having not been paid in full by 31 December 2022.

Reason: To comply with legislative requirements.

64C. Should a voluntary planning agreement be entered into in lieu of payment of development contributions required by condition Nos. 64A and/or 64B, then the applicant (or persons exercising this consent) must comply with the terms of the voluntary planning agreement. On execution of any such planning agreement, the Principal Certifying Authority shall immediately be made aware of, and comply with the requirements of the voluntary planning agreement.

64.D Should a voluntary planning agreement be entered into in lieu of payment of development contributions required by condition Nos. 64A and/or 64B, then prior to the issue of an Occupation Certificate the applicant (or persons exercising this consent), shall demonstrate compliance with the obligations under the Voluntary Planning Agreement.

65. 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.

66. 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 Councils 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.

67. 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/436/2016;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

<b>Bond Type</b>	<b>Amount</b>
Development Site Bonds	\$20,000.00
Hoarding	\$5,000.00 (Class A), \$10,000.00 (Class B)

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

#### **CONTAMINATION**

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

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

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

#### **ENVIRONMENTAL HEALTH**

69. 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.

70. 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.

## ACCESS

71. Access and services for people with disabilities shall be provided to the 'affected part' of the building in accordance with the requirements of the Access to Premises Standard 2010 and the National Construction Code 2013. Detailed plans, documentation and specification must accompany the application for a Construction Certification to the satisfaction of the Certifying Authority.

In this regard, the plans approved with the relevant Construction Certificate shall resolve the following matters to the satisfaction of the Principal Certifying Authority:

- a. 6 Parramatta Square- Lower Ground: The accessible WC shall be relocated to a prominent location which is simply and easily able to be located.
- b. Sanitary facilities shall satisfy all relevant legislative requirements, noting the following:
  - (i) All banks of WCs throughout the buildings will require ambulant cubicles.
  - (ii) Public Toilets are shown on the Lower Ground Floor of both towers. The Unisex Accessible Toilet in No. 4 is shown to provide for left-hand transfer and that in No. 6 is shown to provide for right-hand transfer.
  - (iii) Details of Accessible and Ambulant toilet, and appropriate signage, will be required at CC Stage, to demonstrate that they comply with AS1428.1 (2009).
  - (iv) All Unisex Accessible Toilets located in the upper Levels of both towers are shown to provide for right-hand transfer from a wheelchair to the WC pan. Unisex Accessible Toilets on alternative Levels are to provide for left-hand transfer.



- (c) Upper Ground floor: The Darcy Street drop off areas shall be accessible by means of “at grade” transition areas.
- (d). Access to the facilities within the core is difficult and must be achieved without the need to access to the southern office areas.
- (e). 4 and 6 Parramatta Square: Improved locations are required for the female accessible WCs to avoid the need to travel around the cores.
- (f). The PCA shall be satisfied that a person with ambulant disabilities or using a wheelchair, has equitable paths of travel from 4 and 6 Parramatta Square to Smith Street
- (g). The colonnade along the Parramatta Square façade will require some identification such as tactile indicators to prevent persons clipping the angled columns with their heads as they traverse the Square. A 2m clear path of travel is required.
- (h) The abundance of glass may cause issues for persons with vision impairment including the refraction of the light as it passes through the facade. This will need to be addressed.
- (i) Equitable access is to be achieved between the upper ground level of 4 and 6 Parramatta Square and the existing podium level of the adjacent Sydney Water building.

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

#### **INFRASTRUCTURE**

72. 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.

73. 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.

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

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

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

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

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

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

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

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

#### SUSTAINABILITY

77. Prior to the issue of the relevant Construction Certificate, details must be submitted to the Principal Certifying Authority demonstrating that the

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building and its services is designed to achieve a minimum of a 5 star Green Star rating - Australian Best Practice Sustainable Design as defined by the Green Building Council of Australia (GBCA).

This shall be demonstrated by entering into a Commitment Agreement with the NSW Office of Environment and Heritage. A Commitment Agreement Certificate for 5 stars shall be provided to the PCA prior to the issue of the relevant Construction Certificate.

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

78. In addition to any other requirements of this notice, the development shall incorporate all of the sustainability strategies identified in section 3 of the Ecologically Sustainable Development report by Aecom dated 3 June 2016, and as publicly exhibited with application (report reference: RPT-ESD-DA-DA.01) relating to:

- a) Architectural design
- b) Energy and Greenhouse gas reduction
- c) Water
- d) Indoor environment
- e) Materials
- f) Transport

Evidence to demonstrate compliance with this condition shall be provided for approval with each relevant Construction Certificate.

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

79. Prior to the issue of a Construction Certificate, details must be submitted to the Certifying Authority demonstrating that all lifts in the building will be gearless with regenerative drives and have destination control.

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

80. Prior to the issue of the relevant Construction Certificate, details must be submitted to the Certifying Authority demonstrating:

- a. The provision of dual water reticulation system to enable future supply of non-potable water to and within the building. Non-potable water shall be used for toilets, clothes washing, irrigation cooling tower make up water and washdown facilities.

Where a recycled water supply is not available the development shall comply with (a) above, as a future proofing measure to support connection should such a supply become available.

- b. Building services have been designed have been optimised for connection to a precinct energy infrastructure, such as:
  - (i) The provision of energy heating to the mechanical air condition systems through connection to the heating hot water distributed from a Central Thermal Plant
  - (ii) The provision of hot water for the production of domestic hot water through the connection to the heating hot water distributed from a Central Thermal Plant.

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

### LANDSCAPING

81. 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:

- a. 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.
- b. Streetscape treatments on Darcy St.
- c. Footpath treatment on Darcy St.
- d. Paving treatment for the thru-site walkways.
- e. The proposed "Green Awning" on level 01 & 02.
- f. Plan at 1:100 or 1:200 scale showing adjoining properties and streetscape;
- g. Contours and spot levels across the development, including existing ground levels at the base of each tree;
- h. Physical structures;

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- i. Overland and subsurface drainage;
  - j. Retained vegetation (eg Trees, urban bushland, shrubs, groundcover);
  - k. 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.

- 82. 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:

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- (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.

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### DRAINAGE AND FLOODING

83. 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 the Construction Certificate and implemented prior to Occupation Certificate to Council's satisfaction.

Reference should be made to 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 and other contemporary practice.

Working details of internal stormwater design and management in perpetuity, generally in accordance with the Development Application but to address the following:

a) Stormwater WSUD and design

Water Sensitive Urban Design WSUD is to be implemented in the working stormwater management design and system in accordance with Council's DCP 2011. This must demonstrate close integration between the landscape/urban design and the WSUD design. The design should be based on integrated water design and management principles, including rain and stormwater harvesting and use. 'End of pipe' stormwater pollution control solutions should be seen as a last resort rather than the predominant strategy for water quality. This is likely to involve a sequence of measures arranged as a 'treatment train'.

The design of basement parking areas must show how these areas will be protected from long term ground water infiltration. They must include substantial subsurface deep-soil-containing structures sufficient to support viable trees and to moderate rainwater capture and use and the quantity and quality of water discharge. Council's requirements must be met regarding maintenance implications and operational requirements.

Rainwater and stormwater provision for the individual buildings is to allow for wind driven rain including for stormwater capture, management and detention.

b) On Site Detention

On site stormwater detention tanks that service the buildings must be located on private property within the development sites and are not to be placed in the public domain or road reserves. These tanks must be placed

at sufficient height within the buildings to ensure there is an adequate gravitational fall to the public drainage system in Macquarie Street.

For on-site detention, reference is to be made to The Upper Parramatta River Catchment Trust OSD Handbook, (Editions 4), however Council requires a modified approach for this precinct as follows.

Council is concerned that the effect of this redevelopment may overload already limited local stormwater capacity in the surrounding public roads and private lands. Council therefore requires the stormwater discharges from the various buildings and the public domain to avoid such adverse impacts through provision of increased OSD storage capacity, extended detention and reduced discharge rates to recreate discharge rates that are equal to or less than those that occurred in the surrounding streets prior to this development.

**Reason:** To minimise water run-off from the site.

84. 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 11.79m AHD (and for which no freeboard is required).
  - (b) For 4 and 6 PS the minimum finished floor levels for non-residential floors has been set by Council at 10.9m AHD which is related to the modelled rainwater overland stormwater flow level in Macquarie Street (10.4m AHD plus 500mm freeboard). All habitable finished floor levels must be a minimum of 10.9m AHD except for the sections of retail areas immediately adjacent to the railway concourse as shown in drawing: "BG&E - B Stinton - Design Development Drawings 6 10 16 updated 4 11 16 Fig 1 Flood Management Lower Ground, Fig 2 Flood Management Upper Ground."
  - (c) In addition to this minimum finished floor level, rainwater overland flow flood protection at least to this same level (10.9m AHD) is required to the basement car park entries (driveways and other vertical openings) and to the railway concourse by provision of driveway or paving /landscape crests and continuous bunding. A 'Floodbreak' or equal type flood barrier is not appropriate to protect up to the flood planning



level of 10.9m AHD. This must be done passively by the structural form itself.

- (d) The development involves opening the railway concourse horizontally thereby exposing it to the direct ingress of floodwaters up to the Council accepted PMF level of 11.79m AHD. The Flood Management Plan must show how 'Floodbreak' or equal self-operating type flood barriers, bunds and other measures will protect the railway concourse between the flood planning level (10.9m AHD) and the PMF (11.79m AHD). Note: Placing a flood gate or barrier at the entrance of the railway concourse is not acceptable and such barriers must be placed at or near crests.

The Flood Management Plan must show that adequate refuge/shelter-in-place is to be provided with a refuge above the PMF 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 in these spaces would be emergency food and water supplies, electrical generators, 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.

- (e) 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. (Other areas may also be subject to this additional requirement.) This applies to driveway crests, pedestrian entries and other openings into the basements that would allow floodwaters in.
- (f) Designs must include adequate ventilation of the basement car parks during the PMF event. For example, the inlet/outlet vents of ventilation shafts are to be located well above the PMF level. To increase opportunities for evacuation of disabled and frail people, accessible car parking spaces are to be located as high as possible in the basement car parks.

**Reason:** To ensure the proposal is designed to respond to floor risk.

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

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

86. The basement stormwater pump-out system, must be designed and constructed to include the following:

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

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

**Reason:** To ensure satisfactory storm water disposal.

87. The building must be designed and certified by a suitably qualified practicing engineer to ensure the building does not fail due to flooding.

- (a) A Flood Evacuation & Management Plan must also be prepared by a suitably qualified professional.
- (b) The design and certification of the building and the Flood Evacuation & Management Plan must be prepared and submitted with the application for a Construction Certificate to the satisfaction of the Certifying Authority.

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

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88. No work is to commence on the storm water system until the detailed final storm water plans have been approved by the Certifying Authority.

Prior to the approval of storm water drainage plans, the person issuing the Construction Certificate must ensure:

- (a) The final drainage plans are consistent with the Concept Drainage Plans with the notations there on, approved with the Development Consent.

Note: The approved stormwater design is concept in nature only and not to be used for construction purposes as the construction drawing. Rectified Stormwater plan addressing all the issues and notes marked on the approved stormwater plan must be prepared with details, and submitted with the application for Construction Certificate to the Principal Certifying Authority for approval).

- (b) The proposed On-Site Detention (OSD) System has been designed by a suitably qualified Hydraulic Engineer, in accordance with the Upper Parramatta River Catchment Trust "On-Site Detention Handbook" Editions 3 and 4 and Council's Stormwater Drainage Policies and Guidelines and the requirements of this Consent.

- (c) Unless otherwise demonstrated as being necessary for meeting the other OSD requirements of this consent, the OSD design must achieve:

(i) A Site Storage Requirement of 470m<sup>3</sup>/ha and a Permissible Site Discharge of 80 L/s/ha (as per 3rd edition of UPRCT's handbook).

(ii) When using the Extended/Flood detention method (4th edition of UPRCT's handbook), the Site Reference Discharge (Lower Storage), SRDL of 40 l/s/ha, Site Storage Requirement (Lower Storage) SSRL of 300 m<sup>3</sup>/ha and Site Reference Discharge (Upper Storage), SRDU of 150 l/s/ha, Site Storage Requirement (Total) SSRT of 455 m<sup>3</sup>/ha as per the submitted OSD calculation.

- (d) Detailed drainage plans with cross sectional details of OSD storage areas; pits etc., OSD Detailed Design Submission and OSD Detailed Calculation Summary Sheet are submitted and are acceptable.

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

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

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

90. 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.

91. 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.

92. 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.

93. Foundations adjacent to existing drainage pipes, 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.

94. 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) Construction phase management plan

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.

95. Prior to the issue of the relevant Construction Certificate, the applicant shall prepare, for the approval of the City Architect, floor plan and elevation drawings detailing the division of all retail areas into individual tenancies. The retail strategy must coordinate with the outdoor dining provision. The development shall be completed in accordance with the plans approved to satisfy this condition.  
**Reason:** To ensure the work is carried out in accordance with the approved plans.

## **Prior to Work Commencing**

### **TRAFFIC AND TRANSPORT**

96. 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) Residents of high rise development in the immediate vicinity
  - (b) Local homeless rough sleepers and boarder homeless community- via the Parramatta Homeless Region Interagency
  - (c) ATSI residents and representatives of the Darug people
  - (d) 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
  - (e) Small businesses in the vicinity
  - (f) Education Institutes including Western Sydney University, Department of Education – Assets and Strategy Divisions, Arthur Phillip High School, and Parramatta Primary School
  - (g) Childcare Centres in the vicinity
  - (h) Places of Worship in the vicinity
  - (i) Transport Infrastructure and Operations including all bus operators using Darcy Street.

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

97. Prior to the commencement of any works on site, the developer is to submit a Pedestrian Management Plan for endorsement by Council for the Darcy Street/Church Street pedestrian access. The management plan is to include, but not be limited to, the following matters:

- (a) The applicant shall provide unfettered pedestrian access to Parramatta Railway station via Darcy Street except during the excavation adjacent to the rail corridor, construction works immediately adjacent to The station and works associated with Darcy Street. Finalised location and type of hoardings to maintain pedestrian access between the Darcy Road exit of the western concourse of Parramatta Railway Station and Church Street. That pedestrian connection shall operate only during the hours of 6.30am and 6.30pm, except during major events including, but not limited to, Australia Day and New Year's Eve, and as advised by Sydney Trains – see below
- (b) Details to secure and maintain that connection including:
  - (i) Provision of lighting to relevant Australian Standards;
  - (ii) The provision of CCTV within the enclosed section of hoarding and along the rail corridor;
  - (iii) Maintenance, including details of cleaning; and
  - (iv) Measures for preventing out of hours access.
- (c) Details of information, including newspaper advertisements and signage to inform pedestrians of changed access arrangements and alternative access routes;
- (d) Details of arrangements for consultation with Sydney Trains to determine major events which are likely to increase patronage at Parramatta Railway Station and which will require the pedestrian access between the Darcy Road exit of the western concourse of Parramatta Railway Station and Church Street to remain open outside of the hours noted at (a) above
- (e) A minimum thirty (30) days notice must be given to Sydney Trains prior to the installation of the approved hoarding arrangement for the final stage of the development, and the associated closure of the pedestrian connection from the western concourse of the Station to Smith Street.
- (f) The applicant shall propose alternate arrangements for bus operation and shall agree with all bus operators associated agencies that are currently using Darcy Street in particular:
  - (i) Rail replacement bus services during rail shutdown periods;
  - (ii) Parramatta shuttle bus service;

- (iii) University of Western Sydney (UWS) Rydalmere shuttle bus services; and
  - (iv) Any other shuttle bus services.
- (g) The applicant shall provide details in relation to indicative timeframe of each construction phase in particular closure of Darcy Street;
- (h) Prior to the Darcy Street closure, the applicant shall obtain endorsement from TfNSW and Sydney Trains in relation to the Communication Strategy for customers of Parramatta Station; and
- (i) Any change in Darcy Street access shall be communicated to TfNSW prior to 21 business days of implementation as TfNSW needs to coordinate the changes to bus services and communicate the changes to customers;

All aspects of the endorsed Pedestrian Management Plan are to be in place prior to the closure of Darcy Street and the commencement of works on the final stage of excavation.

**Reason:** To ensure adequate and safe access is available to all pedestrians.

98. Prior to the commencement of any works on site, the applicant must submit a Construction and Traffic Management Plan (CTMP) for the approval of the Service Manager Traffic and Transport. 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 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.
- (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.
  - (i) 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 Parramatta City Council for any temporary road closures or crane use from public property.
- (d) Where applicable, the plan must address the following:
  - (i) Evidence of RMS and TfNSW consultation,
  - (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,
  - (iv) Haulage routes,
  - (v) Location of cranes
  - (vi) Proposed construction hours,

- (vii) Estimated number of construction vehicle movements,
- (viii) Construction vehicles queuing and break down of construction vehicles on Argyle Street and Church Street.
- (ix) Construction program,
- (x) Consultation strategy for liaison in accordance with the Community Engagement Plan.
- (xi) Any potential impacts to general traffic, cyclists, pedestrians and bus services within the vicinity of the site from construction vehicles during construction of the proposed works,
- (xii) Cumulative construction impacts of projects. Existing CPTMPs for developments within or around the development site should be referenced in the CPTMP to ensure that coordination of work activities are managed to minimise impacts on the road network,
- (xiii) Mitigation measures for identified impacts. Should any impacts be identified, the duration of the impacts and measures proposed to mitigate any associated general traffic, public transport, pedestrian and cyclist impacts should be clearly identified and included in the CPTMP, and
- (xiv) Indicative timeframes for each phase of the development, in particular in relation to closure of Darcy Street.

The CPTMP 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.

99. 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

100. 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.

101. 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 Transport for NSW 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.

102. 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.

### DRAINAGE AND FLOODING

103. 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 the relevant 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).

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.

c) 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.

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

**STANDARD**

104. 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.

105. 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.

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

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

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

**Reason:** Statutory requirement.

107. 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.

108. 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.

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

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

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

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

111. 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).

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.

112. 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.

113. Prior to the commencement of any excavation works on site the applicant must submit, for approval by the Principal Certifying Authority (PCA), a



geotechnical/civil engineering report which addresses (but is not limited to) the following:

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

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

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

The implementation program is to nominate suitable hold points for the various stages of the works in order verify the design intent

before certification can be issued and before proceeding with subsequent stages.

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

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

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

114. Details of any reinforced concrete pipe-work within 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.

115. 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.

116. 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.

117. 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.

118. 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.

119. 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.

120. 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.

121. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority a hazardous materials survey of the site. Hazardous materials include (but are not limited to) asbestos materials, synthetic mineral fibre, roof dust, PCB materials and lead based paint. The report must be prepared by a suitably qualified and experienced environmental scientist and must include at least the following information:

- (a) The location of hazardous materials throughout the site;
- (b) A description of the hazardous material;
- (c) The form in which the hazardous material is found, eg AC sheeting, transformers, contaminated soil, roof dust;
- (d) An estimation (where possible) of the quantity of each particular hazardous material by volume, number, surface area or weight;
- (e) A brief description of the method for removal, handling, on-site storage and transportation of the hazardous materials, and where appropriate, reference to relevant legislation, standards and guidelines;
- (f) Identification of the disposal sites to which the hazardous materials will be taken.

**Reason:** To ensure risks associated with the demolition have been identified and addressed prior to demolition work commencing.

#### OTHER

122. 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.

123. 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 02/08/2016, 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 shall not be less than 0.05% of the cost of works of the development as nominated on the Development Application form.
- (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 the relevant Occupation Certificate.

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

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

### **During Work**

#### **TRAFFIC AND TRANSPORT**

124. Prior to the closure of Darcy Street all relevant approvals and management measures must be in place to amend the signalised intersection at Church Street and Argyle Street to provide access to No.179 and 181 Church Street including:

- (a) Approval of Local Traffic Committee and subsequent approval by Council of the direction flow changes to the intersection of Church Street and Argyle Street to allow two-way traffic for access to the occupiers of Nos. 179 and 181 Church Street.

In considering this matter the Committee shall have regard to the need for consultation with Nos.179 and 181 Church Street, and Sydney Water.

- (b) Approval from RMS to amend the traffic signals at the intersection of Church Street and Darcy Street to allow for two-way traffic.
- (c) The proposed changes to the existing traffic signals and civil works shall be designed to meet Roads and Maritime Services (RMS) requirements and be endorsed by a suitably qualified practitioner.
- (d) The submitted design shall be in accordance with Austroads Guide to Road design in association with relevant RMS supplements. The certified copies of the traffic signal design plans shall be submitted to RMS for consideration and acceptance prior to the release of the Occupation certificate by the appointed certifier and commencement of any road works.
- (e) RMS fees for administration, plan checking, signal works inspections and project management shall be paid by the developer prior to commencement of any works.
- (f) The developer will be required to enter into a Works Authorisation Deed (WAD) for the abovementioned works. Please note that the WAD will need to be executed prior to RMS assessment of the detailed civil design plans.

**Reason:** Ensure all processes are correctly undertaken relevant approvals are attained.

125. Prior to closure of Darcy Street all works required to be undertaken for the directional flow changes and amendments to the traffic signals at the signalised intersection of Church Street and Darcy Street are to have been completed and access to Nos. 179 and 181 Church Street must be operational. All works associated with such infrastructure changes to the signalised intersection are to be paid for by the developer at no cost to Council and/or RMS.

**Reason:** To ensure access is maintained at all times to Nos. 179-181 Church Street.

126. Prior to the closure of Darcy Street, the applicant shall propose alternate arrangements for bus operation and shall provide evidence to Council of agreement with all bus operators associated agencies that are currently

using Darcy Street. In particular alternative arrangements are to be established for:

- (a) Rail replacement bus service during rail shutdown periods;
- (b) Parramatta shuttle bus service;
- (c) University of Western Sydney (UWS) Rydalmere shuttle bus services; and
- (d) Any other shuttle bus service that uses Darcy street on a regular scheduled basis

**Reason:** To ensure all processes are correctly undertaken relevant approvals attained for alternative transport and movement in the public domain.

127. 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.

128. Unfettered pedestrian access shall be provided to Parramatta Railway station via Darcy Street, or other means agreed with Transport for New South Wales, during construction.

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

129. Alternative toilet facilities for bus operators at Parramatta Interchange shall be provided during any closure of Darcy Street.

**Reason:** To safeguard the amenity of bus operators.

130. 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.

131. 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.

132. Construction vehicles shall not enter the site via the Argyle Street/Church Street intersection.

**Reason:** To safeguard public amenity.

### **INFRASTRUCTURE**

133. 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.

### **CONTAMINATION**

134. Any fill material imported to the site is to be virgin excavated natural material (VENM) and is to be certified as such by a suitably qualified industry professional. Records of each individual certification are to be kept on site and produced for inspection when requested.

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

135. 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.

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

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

137. Site water discharged must not exceed suspended solid concentrations of 50 parts per million, and must be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant Environmental Protection Authority and ANZECC standards for water quality.

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

**Reason:** To prevent pollution of waterways.

138. Where the remedial action has been carried out, a validation report must be submitted to Council stating that the objectives in the Overarching Remedial Action Plan have been achieved and the land is remediated to a standard suitable for the proposed land use.

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

#### **LANDSCAPING**

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.

**STANDARD**

141. 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.

142. 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.

143. The applicant must not enter or undertake any work within any adjoining public parks or reserves without the prior written consent of Council.

**Reason:** Protection of existing public infrastructure and land and to ensure public safety and proper management of public land.

144. 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 affected by Parramatta City Centre LEP 2007 in limited circumstances and upon written application and approval being given by Parramatta City Council at least 30 days in advance.

Such circumstances where extended hours may be permitted include:

- (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.

145. 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.

146. 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.

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

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

148. 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.

149. 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.

150. 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.

151. 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.

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

#### **STANDARD**

152. 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.

153. 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.

154. 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.

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

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

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

156. 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.

157. 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 instruments are to be generally in accordance with Council's "draft terms of Section 88B instrument for protection of on-site detention facilities" to Council's satisfaction.

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

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

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

158. A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained prior to the issue of any Occupation Certificate. The application must be made through an authorised Water Servicing Coordinator. Please refer to "Your Business" section of Sydney Water's web site at [www.sydneywater.com.au](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.

159. 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.

Following confirmation the approved street numbering is to be placed on the site in a readily visible location from a public place(s) prior to the issue of an Occupation Certificate.

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

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

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

**Reason:** To comply with the Conveyancing Act 1919.

#### ***DESIGN EXCELLENCE***

161. 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.

#### ***TRAFFIC AND TRANSPORT***

162. Prior to the issue of the relevant Occupation certificate an intercom system must be provided in a convenient location adjacent to the visitor parking entry.

**Reason:** To ensure convenient access is available for visitors to the building.

#### ***(Condition modified by DA/436/2016/G dated 14/08/2018)***

163. Prior to the issue of the relevant Occupation Certificate, pedestrian rights of way shall be created over the public domain areas on the site, as follows:

- (a) To be created in favour of Parramatta City Council
- (b) Allow for 24 hour public access.
- (c) Allow for 24 hour public access between the western concourse of Parramatta Railway Station and Parramatta Square



**Reason:** To confirm the details of the application and provide a public right of way over the through site link.

**(Condition modified by DA/436/2016/G dated 14/08/2018)**

164. 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.

165. 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.

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

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

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

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

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

**Reason:** Pedestrian and Vehicle safety.

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***(Condition modified by DA/436/2016/G dated 14/08/2018)***

167. 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, demonstrating that the shared underground car parking area is fully operational and has been constructed to the boundary of 3 Parramatta Square.

**Reason:** To ensure the development has appropriate vehicular access and car parking.

168. Prior to the issue of an occupational certificate (Interim or Final) pedestrian access, a minimum 3m wide is to be provided:

(a) from the western railway station concourse pedestrian access to the southern boundary of 1 Parramatta Square at the eastern end of this site.

(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).

**Reason:** To maintain appropriate pedestrian access to the train station.

169. Prior to the issue of an Occupation Certificate, the applicant shall provide, to the satisfaction of Council, structural design certifies 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.

170. Prior to the issue of any Occupation Certificate a physical connection from basement level 01 to adjoining 3 Parramatta Square shall be completed as shown on Drawing DA-A-0504, Revision 01, and to the satisfaction of Council.

171. Prior to the release of the relevant Occupation Certificate the applicant shall submit, to the satisfaction of Council, an Operational Plan of Management for the basement car park levels.

At a minimum, that Plan must address the following:

(a) Provision of LED lighting,

(b) CCTV,

(c) Variable message signs

**Reason:** To ensure the smooth and efficient management of the basement.

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

172. All loading and unloading must:

- (a) take place within the designated loading areas on the subject property, or
- (b) take place within the approved loading dock to minimise disruption of public spaces, and
- (c) is to be carried out wholly within the site

A loading dock management plan is to be prepared to the satisfaction of Council detailing the operation of the loading dock and the maximum size of vehicles that will be using the dock.

**Reason:** To minimise impact on traffic.

173. Prior to the issue of the relevant Occupation Certificate the applicant shall install and maintain surveillance cameras and recorders to monitor and record the whole of the car park, including all entrance and exit points, the driveway/paystation areas, lobby spaces to all lift cores, and entry doors to all fire stairs.

- (a) The system shall be designed and operated to enable recordings (24) hours a day seven (7) days a week. The time and date must automatically be recorded. All recordings are to be kept for a minimum period of thirty (30) days before they can be reused or destroyed.
- (b) The CCTV control system should be located within a secured area of the premises and only accessible by authorised personnel.
- (c) Signage warning of CCTV coverage shall be displayed in proximity to the car park driveway/paystation areas, lobby spaces to all lift cores, and entry doors to all fire stairs.

**Reason:** To maintain the safety of the car park area.

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

174. Prior to the issue of the relevant Occupation Certificate, provide evidence of registration of easements, 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).

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

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

#### **SYDNEY TRAINS**

175. 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.

176. 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. To ensure that this condition is complied with the Principal Certifying Authority is not to issue any Construction or Occupation Certificate after the opening of Darcy Street unless written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

**Reason:** To protect vital infrastructure.

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

177. 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. To ensure that this condition is complied with the Principal Certifying Authority is not to issue any Construction or Occupation Certificate after the opening of Darcy Street unless written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

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

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

- 177.A Darcy Street must be opened for public or Sydney Trains/Transport for NSW use as soon as practical but no later than the issuing of the final Occupation Certificate. The Principal Certifying Authority is not to issue the final Occupation Certificate unless written confirmation has been received from Sydney Trains confirming that this condition has been satisfied. In the event that the road is completed but not yet open to the public, the Applicant shall make the road available for use by Sydney Trains for any emergency or maintenance access to the rail corridor.

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

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

**OTHER**

178. 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 the relevant Occupation Certificate.

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

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

179. 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 the relevant Occupation Certificate

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

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

180. 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.

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 Aecom report dated 3 June 2016, (reference: RPT-ESD-DA-DA.01); 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.

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. 60502045-RPNV-01, dated 10 August 2016, prepared by AECOM Australia Pty Ltd.

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

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

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

184. The landscaping must be completed in accordance with the consent and approved plans, prior to occupation/use of the premises.

**Reason:** To ensure landscaping is completed in accordance with the approved plans and maintained.

185. 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) Approved verses installed Drainage Design (OSD) Calculation Sheet.

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.

186. 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.

187. 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 statutory requirements.

188. A Wayfinding Strategy for the site shall be submitted to the Council for approval and implemented prior to issue of the relevant 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
- (d) The location of proposed street furniture, including seating, bins, drainage grates, outdoor dining areas and barriers, and water fountains
- (e) Identification and evidence of compliance with any relevant Australian Standards

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

***(Condition modified by DA/436/2016/G dated 14/08/2018)***

189. Where the remedial action has been carried out, a validation report must be submitted to Council stating that the objectives in the Overarching Remedial Action Plan have been achieved and the land is remediated to a standard suitable for the proposed land use.

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

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

190. 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.

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

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

192. All loading and unloading must be undertaken in accordance the approved management plan for the loading dock.

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

193. Car parking shall be operated in accordance with the management plan approved to satisfy the conditions of this Notice. The approved management plan shall be updated at the following times:



- a) A revised management plan shall be lodged with Council within 6 months of the date of any Notice granting development consent for any base building elsewhere on Parramatta Square. The revised plan shall be to the satisfaction of Council, and the car park shall operate in accordance with that revised plan, upon its endorsement by council; or
- b) At any other time as nominated by Council.

**Reason:** To ensure the smooth and efficient management of the basement.

194. 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.

195. 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.

196. 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.

197. 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.

198. 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.

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

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

200. 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.

201. Any future Darcy Street management or maintenance costs arising from the basement hereby approved shall be borne by the building owner at no cost to Council. The owner of buildings should be responsible for any structural parts of building over which the public road is constructed; Council will be responsible for maintenance of the wearing surface only.

**Reason:** To limit Council's liability for private land.

202. Prior to the placement of tables, chairs, and safety barriers within the Development Consent approved area, approvals under the Roads Act 1993, and the Local Government Act 1993, must be obtained.

Please contact Parramatta City Council's Property Asset Management Officer, on 9806 5000.

**Reason:** To ensure that the Code's requirements are adhered to, and there is an approval for activities on Council's footways.

203. 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.

204. Controlled access shall be provided to the long terrace at the Upper Ground Level terrace to ensure that no safety issues arise after business hours.

**Reason:** To ensure safety and security of the public.

## **ADVICE**

- A. The proponent shall engage with Council and other key stakeholders in ongoing precinct planning for the Parramatta Square site, including:
- Being active in support of Council's work to develop an overarching Community Development Plan for the site
  - Being active in support of Council's work to achieve a 6 Green Stars Community rating for the Parramatta Square precinct
  - Making available relevant staff to attend precinct planning meetings as necessary
- B. The applicant shall engage in the Parramatta Skills Exchange program which is a program involving a partnership between Council and TAFE. The proponent will be required to meet employment and training targets that will enable residents of the CoP and greater Western Sydney to

benefit from the significant growth and development opportunities in Parramatta CBD currently.