



SYDNEY CENTRAL CITY PLANNING PANEL

COUNCIL ASSESSMENT REPORT

Panel Reference	PPSSCC-141
DA Number	DA/443/2020
LGA	City of Parramatta
Proposed Development	Alterations and additions to existing heritage listed buildings and their use as office premises for the Western Sydney Startup Hub (STHUB).
Street Address	5A Fleet St, North Parramatta (Lot 3 of DP808447)
Applicant	Urbis on behalf of the Department of Planning Industry and Environment
Owner	Property NSW
Date of DA lodgement	3 August 2020
Number of Submissions	34
Recommendation	Approval, subject to conditions
Regionally significant development criteria (Schedule 7 of SEPP (SRD) 2011)	Development carried out by or on behalf of the Crown (within the meaning of Division 4.6 of the Act) that has a capital investment value of more than \$5 million.
List of all relevant s4.15(1)(a) matters	<ul style="list-style-type: none">• Environment Protection and Biodiversity Conservation Act 1999• Environmental Planning and Assessment Act 1979;• Environmental Planning & Assessment Regulation 2000;• State Environmental Planning Policy No. 19• State Environmental Planning Policy No. 55• Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005• Parramatta Local Environmental Plan 2011• Parramatta Development Control Plan 2011
List all documents submitted with this report for the Panel's consideration	<ol style="list-style-type: none">1. Draft Conditions2. Architectural Plans3. Heritage Act approval4. National Heritage Impact Statement
Report prepared by	Brad Roeleven

Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?	Yes
Legislative clauses requiring consent authority satisfaction Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?	Yes
Clause 4.6 Exceptions to development standards If a written request for a contravention to a development standard (clause 4.6) has been received, has it been attached to the assessment report?	No
Special Infrastructure Contributions Does the DA require Special Infrastructure Contributions conditions (s7.24 of the EPAA)?	No
Conditions Have draft conditions been provided to the applicant for comment?	Yes

1. Executive summary

The land the subject of this application relates to buildings within the 'historic core' of the Cumberland District Hospital Group (East Campus) which comprises multiple buildings currently occupied by Health NSW. The Cumberland Hospital (East) was part of a strategic precinct formerly known as the Parramatta North Urban Transformation (PNUT), an area of about 26 hectares of NSW Government land located along the eastern foreshore of the Parramatta River opposite Parramatta Park. More recently the PNUT lands have been incorporated into the wider Westmead 2036 Draft Place Strategy prepared by the Department of Planning, Industry and Environment, which seeks to create a health and innovation precinct.

This development application seeks consent to undertake various works to multiple buildings within that 'historic core' to allow for its adaptive reuse as commercial premises which will operate as subsidised office space on short term leases. The facility, to be known as the 'Western Sydney Start Up Hub', will be managed by NSW Treasury. This matter is therefore a Crown application per Division 4.6 of the Environmental Planning and Assessment Act 1979.

The 'historic core' is within the 'Parramatta Female Factory and Institutions Precinct' as inscribed on the National Heritage List on 14 November 2017, and the site is therefore subject to the Environment Protection and Biodiversity Conservation Act 1999. The Department of Water and Environment was consulted and did not raise any objections.

The site is also listed on the State Heritage Register and is therefore subject to the Heritage Act 1977. In support of the prior PNUT project a Conservation Management Plan (CMP) titled *Parramatta North Historic Sites Consolidated Conservation Management Plan* dated March 2017 was prepared for the site to facilitate the sustainable management of its heritage values and that Plan was endorsed by the NSW Heritage Council on 7 April 2017. Relevant approvals under the Heritage Act for the subject works were granted by Heritage NSW prior to the lodgement of this application with Council.

The site is also listed as an item of environmental heritage under Parramatta Local

Environmental Plan 2011. That circumstance, and other provisions of that Plan, require this proposal to also be the subject of development consent under the Environmental Planning and Assessment Act 1979.

Assessment of this application against the relevant planning framework and consideration by Council's technical departments and relevant external agencies, confirms this proposal is satisfactory when evaluated against section 4.15 of the Environmental Planning and Assessment Act 1979, as set out in this report. Consequently, it is recommended that the Panel approve this application, subject to the conditions at **Attachment 1**. Noting that this is a Crown application, the applicant's agreement to the draft conditions of consent will be confirmed to the Panel prior to the determination meeting.

2. Strategic context

PNUT was rezoned via a State Significant Sites process on 20 November 2015 by the Minister for Planning. The rezoning resulted in amendments to the Parramatta Local Environmental Plan 2011 (PLEP 2011) and included changes to the land use zoning, height, floor space ratio, key sites and biodiversity maps and addition of a design excellence clause. That rezoning was to facilitate the delivery of:

- Approximately 2,800 new apartment units;
- Around 20,000sqm of new commercial floor space;
- Around 4,000sqm of retail space; and
- Preservation and adaptation of heritage buildings.

A precinct specific draft DCP was prepared to guide future development due to the significant level of urban renewal, the site's strategic location between Parramatta CBD and Westmead and the unique heritage, landscape and river setting.

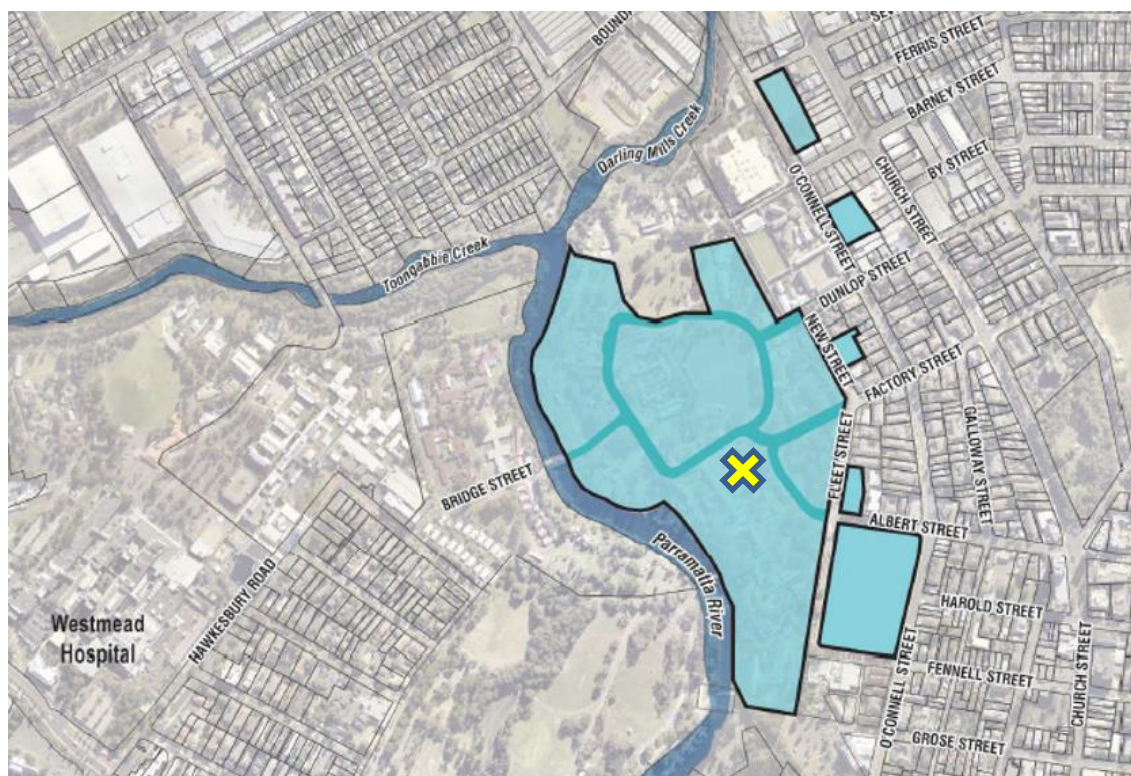


Figure 1: Locality map of the PNUT precinct highlighted in blue. Subject site noted by 'X'

The PNUT site is now captured within the Westmead 2036 Draft Place Strategy, a master planning process by the DPIE. That strategy is on public exhibition until 1 March 2021. The Department states that the “draft place strategy sets the vision for the continued evolution of Westmead, to become a world-class health and innovation district with exceptional place outcomes for workers and residents” and notes that it does not seek to rezone land. Instead, it is to guide local councils, State agencies and the private sector on land use planning for Westmead and outlines steps to ensure investment and infrastructure is aligned to anticipated growth. The stated Aims of the Strategy are to:

- drive new jobs in health, education and innovation;
- put people at the centre of future development, with a focus on pedestrian-friendly streets and provision of community amenities;
- protect heritage buildings and find ways they can be repurposed for new community uses, where appropriate;
- improve pedestrian and cycling paths between Westmead North and South, Parramatta Park and Parramatta CBD;
- promote housing density and diversity, such as student accommodation, key worker, social and affordable housing where appropriate; and
- ensure population growth is accompanied by more open space and social infrastructure.

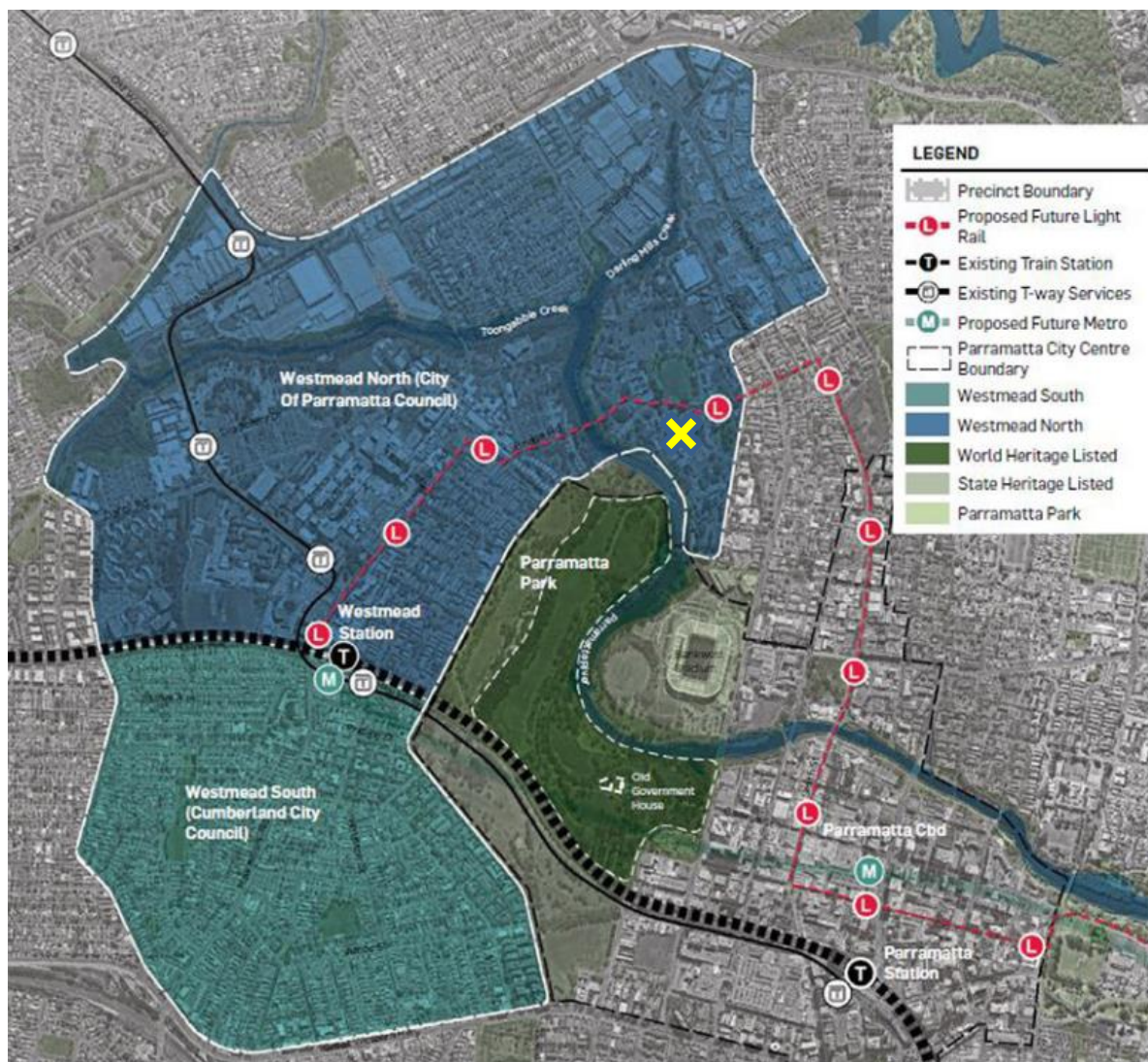


Figure 2: Extent of the draft Westmead Place Strategy. Approximate location of subject site noted by 'X'

3. Site description, location and prior history

3.1 Site description and location

The subject buildings are located within the Female Factory/ Lunatic Asylum Precinct of the Cumberland Hospital (East Campus) site at 5 Fleet Street, which is legally described at Lot 3 in DP 808447. Lot 3 has an area of about 19.4 hectares, and is bounded by the Parramatta River and Parramatta Park to its west, and Fleet Street and Parramatta Gaol to its east.

The site features significant Aboriginal values and highly-significant buildings, structures, landscape elements, plantings and archaeology associated with the Parramatta Female Factory (1818-1848), Parramatta Lunatic Asylum (1849-1878), Parramatta Hospital for the Insane (1878-1916), Parramatta Mental Hospital (1916-1963), Parramatta Psychiatric Centre (1963-1983) and Cumberland Hospital (1983-present).

To the west, the site adjoins the Parramatta River, beyond which is Parramatta Park. Immediately along its southern edge is the Norma Parker Centre / Kambala complex which is also subject to the National Heritage. South of that is the Bankwest Stadium.

The land adjoining Lot 3 to the north is owned by Deerubbin Local Aboriginal Land Council, and while not previously part of PNUT is included in the Westmead 2036 Draft Place Strategy.

The Parramatta Light Rail traverses the site and will include a station its intersection with Factory Street. Construction of PLR is well progressed.



Figure 3: Lot 3 DP 808447. Approximate location of works noted by 'X'

The proposed works apply to only part of Lot 3 DP 808447, with the location of the 'historic core', in conjunction with the extent of the National Heritage Listing shown at Figure 4 below.



Figure 4: Location of the relevant part of Lot 3 is shown in blue. Extent of National Heritage Listing is shown in red.

In addition to the State and National Heritage listings, the site is also listed as an item of environmental heritage under Parramatta LEP 2010, and is proximity to a number of local Heritage Items and is nearby to the North Parramatta Conservation Area.

Lot 3 DP 808447 is affected by a patchwork of zones, building heights and FSRs under Parramatta LEP 2011. Those that are relevant to the proposed buildings are:

- B4 Mixed Use zoning
- Building height control of 10m and 14m
- FSR control of 0.33:1

3.2 Prior or related applications

The following prior applications relate to the subject or adjacent sites:

Table 1: Prior applications

Application	Development
DA/1124/2016	The scope of works comprised subdivision to create development lots, open space lots and public road lots; tree removal; demolition of some buildings and structures; civil works comprising new roads, utility services and

	stormwater; public domain works including footpaths, cycleways and landscaping; landscaping of public open space areas and allocation of Gross Floor Area to the development lots. Withdrawn 12 November 2018.
DA/372/2020	Demolition of two existing buildings to enable the construction of the Parramatta Girls Industrial School (Parragirls) Memorial and associated landscape works; conservation works to the Fleet Street palisade fence and demolition of a number of non-significant and intrusive buildings and other structures within the Solitary Cell Block Enclosure (Artisans' Yard) of the Cumberland Hospital (East Campus) site. Approved 20 October 2020

4. The proposal

This DA seeks consent to adapt the buildings, or parts of the buildings known as C104, C104a, C107, C109 and C111 to facilitate their re-use as the first stage of the Western Sydney Startup Hub (STHUB). Future stages, for which separate consent will be sought, comprise:

- Establishment of a café in Building C104 (stage 2)
- The use of Building C111 for community uses (stage 3)

The buildings the subject of this Stage 1 application are noted in the table below, and their location within Lot 3 DP 808447 is shown at Figure 5 following:

Table 2: Schedule of affected buildings

<i>Building No</i>	<i>Description</i>	<i>Current use</i>
C104	Former Main Kitchen Block	Occupied by Western Sydney Local Health District (WSLHD) Hospital Archives/Health Legal and Finance Team.
C104a	Former Boiler Room/Bathroom/Dining Room/Servery	Vacant
C107	Former Male Ward 2 and Male Ward 3.	WSLHD IT Services
C019	Former Male Ward	Bathrooms for WSLHD IT Services
C111	Former Female Factory Northeast Range	Vacant

Broadly this application seeks to remove later additions, undertake essential conservation works, reconstruct some demolished elements and introduce some new elements. More specifically, the scope of works comprises:

- Demolition/removal of twentieth century additions and modifications of building C104 and C104a;
- New works consisting of:
 - Construction of new openings, generally in the same location as earlier openings;
 - Reconstruction of existing verandahs to original detail and new verandahs to connect to these;
 - New bathrooms and kitchens in Buildings C104, C107, C109 and C111 in areas of lesser heritage significance;
 - New stairs in Building C111 to replace the non-compliant late 20th century stairs;

- New entry door to building C104. The new glazed entry door will comprise a steel framed glazed “box” or “storm porch” inside the southern wall of the main kitchen space of Building C104. This design allows for the stone archway to be unaffected and allows for the pair of outward opening swing doors to be DDA compliant.
- New mezzanine, lift and stairs in building C104 to be constructed at the north end of the double-storey main kitchen space of Building C104 will provide egress from, and equitable access to, the First Floor spaces of Buildings C104 and C107.

The adaptive reuse of Buildings C104 and C107, and parts of C104a, C109 and C111 will accommodate approximately 1,751sqm of office space and associated amenities.

Twenty-eight parking (28) spaces are proposed within the north east of the site and twelve (12) adjacent to building C103, including two accessible spaces. They will be specifically designated to the STHUB. Eighteen (18) bicycle spaces are proposed within building C111. A number of works including the conservation works of the historic fabric and the new office fitout and interior refurbishment of the site will be conducted as exempt works under clause 20 and 20A of the State Environmental Planning Policy (Infrastructure) 2007.



Figure 5: Site plan – subject buildings shown in blue (Source: TDK Architects)

Following images provide sense of the buildings the subject of this application:



Figure 6: South elevation of building C104 (main Kitchen Block) (Source: TDK Architects)



Figure 7: Part south elevation building C104A (Boiler House/Bathroom/Dining Room/Servery) (Source: TDK Architects)



Figure 8: Part of the west elevation of Building C107 (former Ward 2/Ward 3). (Source: TDK Architects)



Figure 9: Southeast of Building C111 (originally Female Factory Northeast Range) (Source: TDK Architects)

5. Referrals

The following internal referrals were undertaken:

Table 3: Summary of referral responses

INTERNAL REFERRALS	
Accessibility	Raised issues regarding the accessibility of the café however is not covered in the scope of this DA. The STHUB will be conditioned to be compliant with the BCA which covers accessibility.
Development Engineer	Issues relevant to the DA addressed by conditions.
Heritage	No objections provided noting section 60 approval
Landscape Officer	There is no tree removal or pruning proposed under this DA regardless it has been reviewed by Council's Tree Management Officer due to the mature trees that are present on site to ensure that they will not be damaged by the proposed works or construction. It was noted that a Jacaranda tree may be impacted by the Stage 3 works for building C111 (Tree tag number 1958), however that will be addressed as part of any future DA. Tree protection conditions will be imposed to ensure this.
Fire Safety	No objections to the proposal. Will be conditioned to be compliant with the BCA.
Traffic Engineer	No objections to the proposal. Conditions recommended to ensure parking rate and ensure no traffic impact during construction.
Environmental Health – Contamination	No objections, standard conditions recommended.
Environmental Health - Acoustic	No objections, standard conditions recommended.
Environmental Health Waste	No objections, standard conditions recommended.
Heritage Committee	Concerns raised – see section 12.3 below.

EXTERNAL REFERRALS	
Sydney Water	No objections, standard conditions recommended.
Transport for NSW	No objections, standard conditions recommended
Dharug Tribal Aboriginal Corp	No response received

6. Environmental Planning and Assessment Act

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

6.1 Section 1.7: Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

Previous ecological reports prepared for the PNUT lands identified the following:

- The Parramatta River riparian corridor comprises remnant and regrowth vegetation communities. River-Flat Eucalypt Forest, an endangered ecological community under the *Threatened Species Conservation Act 1995* (TSC Act), was identified along this riparian corridor.
- A Grey-Headed Flying-Fox (GHFF) camp is located on the foreshore of both sides of the Parramatta River, partially within the southern portion of the PNUT site. The GHFF is listed as vulnerable under the TSC Act and the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). Based on a field survey, two species of microbat, and possible occurrence of another two microbat species were also identified. Two of these species, the Eastern Bentwing Bat and Eastern Freetail-bat are listed as vulnerable under the TSC Act.

Mapping provided with those reports indicates that while both the River-Flat Eucalypt Forest and the GHFF camp encroach into the southernmost part of Lot 3 DP 808447, both are predominantly located on adjacent lands to the south of the subject site.

Given that, and noting the scope of the works is limited to existing buildings and involves no modification of the natural environment it is considered there will be no effect on threatened species, populations or ecological communities, or their habitats.

6.2 Section 4.15: Evaluation

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

Table 4: Section 4.15(1)(a) considerations

Provision	Comment
Section 4.15(1)(a)(i) - Environmental planning instruments	Refer to section 7
Section 4.15(1)(a)(ii) - Draft environmental planning instruments	Refer to section 8
Section 4.15(1)(a)(iii) - Development control plans	Refer to section 9

Section 4.15(1)(a)(iiia) - Planning agreement	Refer to section 10
Section 4.15(1)(a)(iv) - The Regulations	Refer to section 11
Section 4.15(1)(a)(v) - Coastal zone management plan	Not applicable.
Section 4.15(1)(b) - Likely impacts	Refer to section 12
Section 4.15(1)(c) - Site suitability	Refer to section 13
Section 4.15(1)(d) – Submissions	Refer to section 14
Section 4.15(1)(e) - The public interest	Refer to section 15

7. Environmental planning instruments

7.1 Overview

The instruments applicable to this application comprise:

- Environment Protection and Biodiversity Conservation Act 1999;
- Environmental Planning and Assessment Act 1979;
- Heritage Act 1977;
- State Environmental Planning Policy No. 55 (Remediation of Land)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;
- Parramatta Local Environmental Plan 2011.
- Parramatta Development Control Plan 2011

Compliance with these instruments is addressed below:

7.2 Environment Protection and Biodiversity Conservation Act 1999

The Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) is the central piece of environmental legislation within Australia and applies to matters of national environmental significance.

The ‘Parramatta Female Factory and Institutions Precinct’ was added to National Heritage List in November 2017. The EPBC Act requires that the owner or manager of a place of National Heritage significance must, via self-assessment, determine whether a proposed development (action) has the potential to have a ‘significant impact’ on the National Heritage values. The EPBC Act describes a significant impact as:

- One or more of the National Heritage values to be lost
- One or more of the National Heritage values to be degraded or damaged
- One or more of the National Heritage values to be notably altered, modified, obscured or diminished.

If that self-assessment process identifies that an action has, or is likely to have, a significant impact on National Heritage values, then a formal application must be submitted to the federal

Minister for the Environment for assessment.

The application as lodged was supported by a statement from TDK Architects which concluded that *“the works or “actions” are unlikely to have a significant impact on the national heritage values of the Parramatta Female Factory and Institutions Precinct 106234 so referral to the Australian environment minister is not required”*.

Notwithstanding that there is no statutory obligation to do so, Council nevertheless sought advice from the federal Department of Agriculture, Water and Environment (DAWE) regarding:

- The adequacy of the applicant’s assessment relative to the EPBC; and
- Whether DAWE raised any concerns with proposal.

In summary, DAWE’s advice was that:

- Based on the information provided, it seems unlikely that the impacts would have a significant impact on any matters of national environmental significance, including National Heritage places.
- The works are noted as consistent with the principles, policies and guidelines of the Parramatta North Historic Sites Consolidated Conservation Management Plan.
- If the proponent has determined through their self-assessment that the proposed action will not significantly impact, then no referral would be required under the EPBC Act.

Notwithstanding, DAWE noted that while a national heritage impact statement has been prepared, a more rigorous assessment against National Heritage values would have been preferred. Noting that response, for completeness the applicant has since provided an amended Heritage Statement specifically responding to the comments of DAWE.

Given the above it is considered that the obligations under the EPBC relative to the National Heritage Listing have been properly considered.

7.3 State Environmental Planning Policy No. 19 – Bushland in Urban Areas

This land aims to protect and preserve remnant bushland, flora and fauna species within urban areas. SEPP 19 applies to all land within the Parramatta LGA and requires consent to disturb bushland zoned or reserved for public open space purposes.

The wider site contains some pockets of urban bushland and remnant vegetation, and land zoned for public open space, although none of these areas are located within the area of proposed works.

The proposed development works do not extend beyond the buildings and will not impact upon the biodiversity values of the land. Accordingly this application not contrary to the aims or provisions of this Plan.

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

Clause 7 of this Policy requires that the consent authority must consider if land is contaminated and, if so, whether it is suitable, or can be made suitable, for a proposed use.

A Contamination Assessment was submitted as part of this application which found that:

- Surface, and near surface, fill material has been identified during previous investigations as being impacted by polycyclic aromatic hydrocarbons, total recoverable hydrocarbons and asbestos.
- Bonded asbestos containing material in soil was identified within the broader heritage precinct but outside the current site boundary
- The identified impacts are considered likely to be present throughout the site. Asbestos in soil poses a risk to future sensitive receptors at the site and will require ongoing management.

That report concludes that despite the presence of contaminated soil, the site can be made suitable for the proposed use, via application of a suitable Environmental Management Plan to address the risks posed by the identified asbestos contamination.

That contamination report was evaluated and accepted by Council's Environmental Health team, who have nominated conditions for inclusion in any consent.

The requirements of clause 7 of this policy have therefore been satisfied.

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

This Policy, which applies to the whole of the Parramatta local government area, aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways by establishing planning principles and controls for the catchment as a whole.

The nature of this project and the location of the site are such that there are no specific controls which directly apply. The proposal is consistent with the objectives of the Deemed SEPP and will not impact the Sydney Harbour Catchment.

7.6 State Environmental Planning Policy (Infrastructure) 2007

State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) aims to facilitate the effective delivery of infrastructure across the State. Division 4 of the ISEPP contains the general provisions regarding exempt development. Clause 20A provides that development for a purpose listed in Schedule 1 is exempt development if it is carried out by a public authority and complies with the development standards in Schedule 1 and with clause 20.

The applicant advises that certain conservation works to buildings C104, C104a, C107 and C109 including roof repair/replacement, façade and internal refurbishment works, are able to satisfy those requirements, and can therefore proceed as 'exempt' development. Those works are therefore excluded from the scope of works being sought under this DA.

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

As this proposal is a Crown application with a Capital Investment Value of more than \$5 million, Part 4 of this Policy provides it is a regionally significant development and that the consent authority is the Sydney Central City Planning Panel.

7.8 Heritage Act 1977

Section 57(1) of the Heritage Act NSW does not allow any work to be undertaken on State Heritage Listings or interim Listings unless an application is approved under section 60 of the Heritage Act by the Minister or their delegate being Heritage NSW.

As noted, the site is located within the Cumberland Hospital (East Campus) which is a State Heritage Registered item (SHR N. 820). Approval for these proposed works under the Heritage Act 1977 is therefore required.

Consideration of the Heritage Act relative to the legislative framework under the EPA Act is only relevant however within the context of an 'integrated development application' under section 91 of that Act. In this instance the applicant secured a section 60 Heritage Act approval for these works prior to the lodgement of this application. Consequently the provisions of section 91 of the EPA Act do not apply.

It is also noted that a further section 60 approval was issued on the 23 December 2020 for archaeological investigation works at the site.

7.9 Parramatta Local Environmental Plan 2011

Zoning and permissibility

The site is zoned B4 Mixed Use under the Parramatta Local Environmental Plan 2011, and 'office premises' is a permitted use with consent within that zone.

Zone objectives

Clause 2.3(2) of the Plan requires the consent authority to have regard to the zone objectives when determining a development application. The objectives for the B4 Mixed Use zone are to:


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

Noting the assessment within this report, the proposal is consistent with those objectives.

Remaining provisions

Consideration of the remaining provision of the Plan which may be relevant to this application is addressed in the following table:

Table 5: PLEP 2011 compliance table

Clause	Comment	Complies
Clause 2.7 Demolition	Demolition works proposed by this application trigger the need for consent.	Yes
Clause 4.3 Building height	The mapped <i>height of buildings</i> standard for this part of the site is 14m and 10m. The height of existing buildings does not alter.	Yes
Clause 4.4 FSR	<p>The subject site is affected by multiple FSR's, see below.</p>  <p>Figure 10: PLEP 2010 FSR controls</p> <p>The work proposed is within the area affected by the 0.33:1 FSR which covers approximately 47979sq.m of the 19.4 hectare lot.</p> <p>A total GFA of 7746sq.m or 0.161:1 is proposed which is compliant with the control.</p>	Yes

<p>Clause 5.10 Heritage</p>	<p>The site is identified as State Heritage Item Cumberland District Hospital (including Wisteria Gardens) and is listed under Schedule 5 of the Parramatta LEP as a Heritage Item. Consistency with the requirements of clause 5.10 is shown below:</p> <ul style="list-style-type: none"> • Consent is sought for the works, as required by sub clause (2) • Consent is not required per subclause (3) only for the extent of works noted as being exempt under the Infrastructure SEPP as discussed above. • Consideration of the potential effects on the heritage significance of the site is addressed within this report, as required by subclause (4). • Suitable heritage management documents have been submitted to satisfy the requirements of subclause (5) • A conservation Management Plan is in place for the site which is satisfactory for the purposes of subclause (6) • Subclause (7) does not apply as this is a State Heritage Item. • Relevant local Aboriginal communities were notified as required by subclause (8) • Subclause (9) does not apply • Subclause 10 does not apply 	<p>Yes</p>
<p>Clause 6.1 Acid sulphate soils</p>	<p>The site is affected by Clause 5 Acid sulfate soils. However that circumstance and the proposed scope of works does not trigger the need for development consent, and no Acid Sulfate Soils Manual is required.</p>	<p>N/A</p>
<p>Clause 6.2 Earthworks</p>	<p>No earthworks is proposed.</p>	<p>N/A</p>
<p>Clause 6.3 Flood Planning</p>	<ul style="list-style-type: none"> • The site is above the 1 in 100 year flood level, but is entirely impacted by the Probable Maximum Flood. • Matters for consideration are otherwise satisfied. 	<p>Yes</p>
<p>Clause 6.4 Biodiversity Protection</p>	<p>A portion of the site is mapped as biodiversity land, however that this land is located outside of the proposed works area. No adverse impacts identified as discussed at section 7.2 above.</p>	<p>Yes</p>
<p>Clause 6.5 Water Protection</p>	<p>A portion of the site is mapped as 'riparian land and waterways' however that land is located outside the proposed works area. No adverse impact upon the hydrological functions of the adjacent Parramatta River is expected noting the scope of works.</p>	<p>Yes</p>
<p>Clause 6.12 Design Excellence</p>	<p>This clause applies via subclause (2).</p> <p>Noting the conclusions in this report the application is considered to satisfy the qualitative matters in subclause (4) to the extent they are relevant given the scope of works. Consequently the terms of subclause (3) are satisfied.</p> <p>The requirements for an architectural design competition as prescribed in subclause (5) are not triggered.</p>	<p>Yes</p>

8. Draft Environmental planning instruments

8.1 Draft Consolidated Parramatta Local Environmental Plan

The site is the subject of the Draft Consolidated Parramatta Local Environmental Plan. It is noted that the plan has received Gateway determination and is has been publically exhibited, and therefore is a formal matter for consideration for the purposes of section 4.15 of the Act. The primary focus of the new LEP is harmonisation (or consolidation) of the existing planning controls that apply across the City of Parramatta. It does not propose major changes to zoning or increases to density controls. However, in order to create a single LEP, some changes are proposed to the planning controls applying to certain parts of the LGA.

No non-compliances have been identified within the Draft Plan.

9. Development control plan

9.1 Parramatta Development Control Plan 2011

The purpose of this DCP is to supplement the Parramatta LEP 2011 and provide more detailed provisions to guide development. The following parts of the DCP are relevant to this proposal:

- Part 2 - Site planning
- Part 3 - Development principles
- Part 4 - Special precincts (North Parramatta Urban Transformation)

Compliance tables are provided below:

Table 6: DCP 2011 compliance table

<i>Provision</i>	<i>Comment</i>	<i>Complies</i>
2.4.3.2 Acid Sulfate Soils	See LEP table above	Yes
2.4.4 Land contamination	No issues arise - refer to section 7.4	Yes
2.4.5 Air quality	Standard conditions of consent in order to manage construction related impacts will be applied.	Yes
2.4.6 Sloping land	Not applicable	Yes
2.4.7 Biodiversity	The proposed work is not affecting the part of the site identified on the relevant LEP maps.	Yes

Table 5: DCP 2011 – Part 3, Development principles – compliance table

<i>Provision</i>	<i>Comment</i>	<i>Complies</i>
3.3.1 Landscaping	There is no landscaping works proposed under this DA, this will be covered under a separate DA.	Yes

3.4 Social amenity	A standard condition of consent will be imposed to ensure the development complies with the provisions within The Building Code of Australia (BCA) and the Access Standards. The proposal does not contribute to the provision of any increased opportunity for criminal or anti-social behaviour to occur.	Yes
3.5 Heritage	Heritage considerations, including Aboriginal and European archaeology, have been fully addressed.	Yes
3.6 Movement and circulation	<ul style="list-style-type: none"> • Car parking supply and access is satisfactory - refer to section 12.2 • Arrangements for service vehicle are satisfactory - refer to section 12.2 • Supply of bicycle parking is satisfactory 	Yes

Table 7: DCP 2011 – Part 4 Special Precincts (Parramatta North Urban Transformation Precinct) compliance table

Provision	Comment	Complies
4.3.6 Parramatta North Urban Transformation Precinct	<p>The DCP is framed to respond to the outcomes anticipated by former DA/1124/2016, which has since been withdrawn.</p> <p>Given that, to the extent the DCP can be applied to this proposal, there are no inconsistencies. The indicative layout plan contemplates these heritage buildings are to remain within the F6 Historic Core portion of the site.</p>	Yes

10. Planning Agreements

There are no planning agreements related to the site.

11. The Regulations

The recommendation of this report includes conditions to ensure the provisions of the Regulation are satisfied.

12. The likely impacts of the development

12.1 Context and setting

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

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

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

- No site works are proposed;
- Appropriate arrangements will be made for the collection and disposal of stormwater;

- Arrangements for vehicle access, and traffic generation will not compromise safety for road users, and will not reduce the efficiency of the local road network;
- The scope of works will not preclude surrounding land from being developed in accordance with planning controls; and
- The proposal will not generate noise, cast shadows or diminish views that would be detrimental to adjacent and surrounding sites, or key areas of the public domain.

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

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

- It provides for a land use contemplated by the planning controls;
- The scope of works seeks to improve the heritage values of the building by removing unsympathetic elements. The scope of works has the relevant approval under the Heritage Act 1977.
- To the extent it is relevant within the existing context of the site, the use will achieve a satisfactory relationship with the public domain, and avoid negative outcomes for areas of public open space;
- The operational characteristics of the site will not result in any adverse impacts for adjacent sites or the wider locality.

Of some concern to Council however is the absence of a finalised Masterplan to clarify a wider intent for this historic core, and the manner in which this proposal complements that intended outcome. The need for a masterplan was raised with the applicant, who has provided the following response:

"DPIE recognises that strategic planning across the Heritage Core is essential to guide ongoing, future management of the site. Strategic planning is currently underway and includes preparation of a Heritage Masterplan and Interpretation Strategy, as well as site-specific Tenancy and Activation Strategies. Following detailed archaeological testing, the sites' Conservation Management Plan has also been updated, and will shortly be submitted to Heritage NSW and further community comments will be invited.

The NSW Government remains committed to retaining ownership of the Parramatta North Heritage Core with a Business Case currently being prepared that proposes an ongoing program of conservation, renewal and activation within the precinct to achieve the Place Vision developed with the community in 2018. Ongoing funding will allow the NSW Government to protect the National Heritage listed site into the future, through essential conservation and activation efforts.

Due to machinery of Government changes, response to ROI applicants was delayed. The NSW Government anticipates that responses to ROI applicants will be issued in late 2020.

All proposed works remain consistent with both the 2018 Heritage Core Place Vision which informed the ROI and its assessment, and the nature and interest of respondents who submitted applications for the ROI."

While it would be preferable for the processes above to have been completed prior to the

lodgement of this application it is noted:

- The proposed use is permissible with consent via PLEP 2010
- The use is consistent with the relevant zone objectives
- The use does not preclude these buildings from future alternate uses
- This is Crown application under Division 4.6 of the EPA Act.

12.2 Access, parking and traffic

Construction Traffic Management

The site is located within the PLR Notification Area. Accordingly, the application was referred to Transport for NSW and Council's Traffic Engineer.

Transport for NSW notes the PLR construction has commenced, with services to operate from 2023. During the construction period there would be intermittent, short and long term road closures, as well as material changes to road networks.

Neither Transport for NSW or Council's Traffic Engineer raised concerns regarding the management of construction traffic, subject to nominated conditions which are included with the recommendation to this report.

Parking supply

Parramatta Development Control Plan 2011 nominates a minimum supply rate of one space per 50sq.m for and office uses, and based on the 1,751sq.m of GFA proposed for the STHUB requires 35 spaces. That is achieved through the provision of 28 spaces at the north-east corner of the site, and 12 spaces in proximity to Building C013.

In terms of bicycle parking section 4.3.6 of the Parramatta DCP (per table 4.3.6.2.2) requires a minimum of 1 space per 200sq.m of GFA for commercial developments. Nine spaces would be required, however 18 are proposed within building C111.

Parking design

Council's Traffic Engineer is satisfied the design and geometry of the parking areas.

Service vehicle access

A dedicated loading bay will be provided in the courtyard between buildings C107, C108 and C109 for up to 8.8-metre medium rigid vehicles which is considered to be sufficient space for waste collection and deliveries, when required.

12.3 Heritage

Relevant matters have been addressed at sections 7.2, 7.8 and 7.9 above.

The application was also referred to council's Heritage Committee who resolved the following:

- *That the Committee expresses its concern that the significance of these building are not being adequately understood or recognised, nor appropriately addressed. Further there does not appear to be provision for public access to this nationally significant site. Particularly the building labelled C111 (the convict period).*
- *That the committee is concerned that earlier proposal for an arts, cultural and creative industry hub does not appear to have been considered.*
- *Further, that this project may negatively impact the possibility of a museum precinct (eg. recognising NSW settlement and the female factory) being located in this area*

In response it noted:

- The application is the subject approval under the Heritage Act 1977, and consultation with DAWE regarding the EPBC Act 1999 did not raise any concerns.
- The application relates to only a portion the 'historic core' and therefore does not preclude future uses of other buildings which could have a wider public focus. Equally the scope of works also does not preclude the subject buildings from accommodating future alternative uses, particularly noting the wide scope of permitted uses within the Mixed Use B4 zone.
- Council is required to only assess the land use nominated by the application.

12.4 Safety, security and crime prevention

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

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

To ensure a suitable outcome is achieved, the recommendation includes standard conditions which maintain CPTED practices.

12.5 Social and economic impacts

No adverse economic impacts have been identified. Social impacts are addressed via consideration of public submissions at section 14 below.

12.6 Waste management

Construction phase

A construction waste management plan and Construction Management Plan was submitted as part of this DA that addresses how the construction waste will be stored and collected. Standard Waste and demolition conditions will be imposed to maintain the proper disposal of any building materials.

Operation phase

A commercial contractor will need to be engaged to service the development. Although a satisfactory loading bay has been nominated which can accommodate service vehicles for waste collection, no dedicated waste storage room is proposed. Instead the applicant advises:

- Waste bins are currently located adjacent to Building C108a for use by current tenants.
- The existing waste collection arrangement is to be continued as protocols are in place.

The continuation of a legacy arrangement is not an acceptable outcome. A condition is therefore recommended requiring the provision of a dedicated waste storage room which meets contemporary requirements.

13. Site suitability

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

- It is an appropriate “fit” for the locality given it proposes to retain and restore important heritage items within the site for a use that is permissible with consent and is consistent with the relevant zone objectives.
- The site attributes are conducive noting natural constraints/hazards; ecological and heritage impacts are able to be properly managed.

14. Submissions

The application was notified and advertised in accordance with Appendix 5 of DCP 2011 for a 21 day period between the 25 August 2020 and 15 September 2020. 34 submissions were been received. The issues raised in submissions are summarised and addressed below:

Table 8: Consideration of public submissions

Issues Raised	Response
<i>The proposal limits the ability for public use of a public site</i>	<p>Council response: The application relates to only a portion the ‘historic core’ and therefore does not preclude future uses of other buildings which could have a wider public focus. Equally the scope of works also does not preclude the subject buildings from accommodating future alternative uses, particularly noting the wide scope of permitted uses within the Mixed Use B4 zone.</p> <p>Applicants Response: <i>The proposed use is permissible with consent within the B4 Mixed Use zone under the Parramatta Local Environmental Plan 2011. The proposed use is also consistent with the objectives of the zone.</i></p> <p><i>The proposed works will contribute to the conservation and enhancement of the unique qualities and character of the Parramatta North Historic Sites. A minimalist approach has been taken to any new furniture and</i></p>

	<p><i>fittings to ensure maximum flexibility for future uses of the site and buildings.</i></p> <p><i>The NSW Government is investigating the delivery of cultural, creative and open space uses at the site, including a museum and social enterprise uses that will provide the public with insight into the rich and layered history of the Heritage Core.</i></p> <p><i>The proposed works under the DA are in accordance with the approval by Heritage NSW and include the requirement to undertake site-specific interpretation. In addition, the NSW Government is in the process of updating the site-wide Interpretation Strategy. The updated Interpretation Strategy will be made available for public review.</i></p> <p><i>The STHUB will not be located within any former Parramatta Female Factory buildings. The works to conserve and adapt these buildings from the Parramatta Hospital for the Insane will not prevent the ability to interpret the significance of the Parramatta Female Factory.</i></p>
<p><i>The STHUB is an inappropriate use of the building/precinct, as it prevents the ability to interpret and communicate the significance of the Parramatta Female Factory.</i></p>	<p>Council response: The use is permissible with consent under the Parramatta LEP 2010 and is consistent with the relevant B4 zone objectives. The approval granted by Heritage NSW requires the applicant to prepare and implement an Interpretation Plan.</p> <p>Applicants Response: <i>The proposal will increase public access and use of the site. The STHUB will support the growth of start-ups, scaleups and local businesses in Western Sydney and will play a key role in building the local innovation ecosystem of the Westmead Health and Innovation District, of which the Parramatta North Program is a key enabler. As a key project in the Heritage Core, it promises to bring people, events, and life to this exceptional precinct. C104 will continue to be accessible to the public.</i></p> <p><i>In addition to the STHUB, the proposal anticipates Building C104a will be used as a café (subject to separate future DA) and C111 will be used as a Community Space/Visitor's centre (subject to separate future DA).</i></p> <p><i>The NSW Government is investigating the delivery of cultural, creative and open space uses at the site, including a museum and social enterprise uses that will provide the public with insight into the rich and layered history of the Heritage Core. This includes examination of original Female Factory buildings C105, and C111. Subject to securing funding, these uses will be considered as part of the Business Case submitted to NSW Government in early 2021.</i></p>
<p><i>The funding from project is money which was allocated for repairs to heritage buildings and archaeological works in the precinct as part of the original PNUT program</i></p>	<p>Council Response: This is not a matter of consideration under the Environmental Planning and Assessment Act 1979.</p> <p>Applicants Response: <i>The projects aim is to establish a viable long-term use, compatible with the heritage</i></p>

	<p>values of the place. The funding allocated includes undertaking essential conservation works and the reconstruction of demolished elements.</p> <p>The proposed adaptive re-use works to Building C111 will improve the ability to understand the buildings' earlier, more significant form and functions and ensure that it is made structurally sound and watertight and minimise ongoing deterioration of historic fabric.</p>
<p>The buildings should be used for public purposes that directly relate to the significance of the site such as a museum. The uses should enhance the interpretation of the site's significance through public access, tours, education, research and museum experience</p>	<p>Council Response: The use is permissible with consent under the Parramatta LEP 2010 and is consistent with the relevant B4 zone objectives.</p> <p>Applicants Response: Feedback received from the community in 2018 identified the need for a range of uses to be accommodated at the Heritage Core. These include community space (health and wellbeing), creative and cultural space (arts, museums and knowledge centres), innovation start-up space and food and beverage offerings. C104 in particular will continue to be accessible to the public. The sites' unique heritage location and character, proximity to the future Parramatta Light Rail, strategic positioning amidst the future Westmead Health and Innovation District (WHID) and growing Parramatta North CBD, as well as support from the community and all levels of government to conserve, activate and make the site publicly accessible, have each been critical inputs in development of the STHUB concept within the Heritage Core.</p> <p>As part of this work, DPIE is currently investigating the possibility of future public uses for the key Female Factory buildings, including C105 (Third Class Sleeping Penitentiary), C111 (Female Factory North-East Range) and C103 (Female Factory South-East Range). These buildings do not form part of the proposal for the STHUB and would be subject to a future separate DA.</p>
<p>The proposal for a STHUB is premature given the State government is yet to complete its "Registration of Interest" process</p>	<p>Council Response: This is not a matter of consideration under the Environmental Planning and Assessment Act 1979.</p> <p>Applicants Response: DPIE recognises that strategic planning across the Heritage Core is essential to guide ongoing, future management of the site. Strategic planning is currently underway and includes preparation of a Heritage Masterplan and Interpretation Strategy, as well as site-specific Tenancy and Activation Strategies. Following detailed archaeological testing, the sites' Conservation Management Plan has also been updated, and will shortly be submitted to Heritage NSW and further community comments will be invited.</p> <p>The NSW Government remains committed to retaining ownership of the Parramatta North Heritage Core with a Business Case currently being prepared that proposes an ongoing program of conservation, renewal and activation within the precinct to achieve the Place Vision developed with the community in 2018. Ongoing funding will allow the NSW Government to protect the National Heritage listed site into the future, through essential conservation and activation efforts.</p>

	<p><i>Due to machinery of Government changes, response to ROI applicants was delayed. The NSW Government anticipates that responses to ROI applicants will be issued in late 2020. All proposed works remain consistent with both the 2018 Heritage Core Place Vision which informed the ROI and its assessment, and the nature and interest of respondents who submitted applications for the ROI.</i></p>
<p><i>The proposal for STHUB is premature given the extent of public interest in the site and the interpretation of its history as evidenced by petitions to State and Federal government seeking World Heritage listing, which are still under consideration.</i></p>	<p>Council Response: The application has been assessed against requirements related to the heritage listing which are in place. That assessment confirms the proposal is satisfactory relative to the Heritage Act 1977 and the EPBC Act 1999. Neither Heritage NSW nor DAWE have advised that approval of this application could prejudice any possible proposal to seek a World Heritage Listing.</p> <p>Applicants Response: <i>The STHUB will be an exciting first step in activating the Parramatta North Heritage Core in line with the Place Vision developed with the community in 2018 that will bring people, events and activity to this significant heritage precinct. Specifically, the Place Vision included the identification of innovation and collaboration uses to the northern end of the Heritage Core – where these works are proposed.</i></p> <p><i>The delivery of the STHUB provides an exciting opportunity for the Heritage Core, Parramatta North and broader Central River City. Future focused and community driven, the STHUB will support the growth of start-ups, scaleups and local businesses in Western Sydney and will play a key role in building the local innovation ecosystem of the Westmead Health and Innovation District, of which the Parramatta North Program is a key enabler. The STHUB will help grow, promote and showcase innovation opportunities and create new jobs in Western Sydney as part of the COVID-19 economic recovery. As a key project in the Heritage Core, it promises to bring people, events and life to this exceptional precinct.</i></p>
<p><i>The STHUB does not comply with the Heritage Management Principles in the endorsed Conservation Management Plan for the precinct.</i></p>	<p>Council response: Heritage NSW did consider the CMP as evidenced by the terms of the consent it granted for this application under the Heritage Act 1977.</p> <p>Applicants Response: <i>The utmost care is being undertaken to reinstate the buildings of the proposed STHUB to their original external form as per Heritage NSW approvals. The best practice heritage conservation and adaptive re-use practices are being administered to ensure protection and re-use into the future.</i></p> <p><i>DPIE is currently working with the City of Parramatta Council, Heritage NSW and the Commonwealth Department of Agriculture, Water and the Environment to ensure works are carried out in accordance with the overarching Conservation Management Plan for the site. Noting that works will be undertaken in accordance with the Heritage NSW’s final approval.</i></p>

<p><i>The parking required to service the STHUB will impact the ability to provide appropriate interpretation, and adversely impact open space and building curtilages.</i></p>	<p>Council response: The approval granted by Heritage NSW requires the applicant to prepare and implement an Interpretation Plan.</p> <p>Applicants Response: Car parking is provided in accordance with the Parramatta DCP 2011. The proposed 35 car parking spaces to be allocated to the STHUB are located within an existing informal overflow car park. 18 bicycle parking spaces are provided within Building C111.</p> <p>Over time, it is anticipated that the modal split will shift away from private vehicle towards usage of the Parramatta Light Rail, which is expected to open in 2023 and other active transport means.</p>
<p><i>The demolition of building C111 will result in a loss of heritage values</i></p>	<p>Council response: Building C111 is being retained. Consent is sought to demolish intrusive additions and repair original fabric and remove internal fitouts. Heritage NSW and DAWE are satisfied the works will not erode the heritage values of this building.</p> <p>Applicants Response: Building C111 is not proposed to be demolished only the twentieth century additions to this building and C104. This has been assessed as low impact work by DAWE and has been granted section 60 approval by Heritage NSW and is compliant with the Parramatta LEP.</p>
<p><i>The Female Factory Friends who are involved in research and interpretation of the site; and the North Parramatta Resident Action Group (NPRAG) who have put forward a business case to interpret the site, have not been consulted about this DA.</i></p>	<p>Council response: Advertisement for a period of 21 days as per the notification procedures required under the Parramatta DCP 2011 (which was the applicable notification procedures at the time) was undertaken. Consultation by the applicant with relevant community groups is voluntary and not required under the Environmental Planning and Assessment Act 1979.</p>
<p><i>As a result, it is mandatory that the DA be submitted to the Australian Government Minister for the Environment for assessment.</i></p>	<p>Council response: Refer to section 7.2 above.</p>

15. Public interest

Subject to resolution of the issues of concern as addressed by the recommendation of this report, no circumstances have been identified to indicate this proposal would be contrary to the public interest.

16. Development Contributions

Under clause 3.6 of the Parramatta 94A Plan Amendment 5 and DA for the sole purpose of the adaptive reuse of an item of environmental heritage is exempt from development contributions. Appropriately, no contributions are required to be paid.

17. Summary and conclusion

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

Recommendation

That the Sydney Central City Planning Panel as the consent authority grant consent to Development Application No. DA/443/2020, being Lot 3 in DP 808447 for a period of five (5) years for physical commencement to occur from the date on the Notice of Determination subject to the conditions in **Attachment 1**.

Attachment 1 – Draft Conditions

General Matters

- 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:

Architectural Drawings

Drawing/Plan No.	Issue	Plan Title	Prepared By	Dated
AR.S60.0000	A	Location Plan And Cover Sheet	TKD Architects	29/11/2019
AR.S60.0001	B	Precinct Plan And Staging Diagram	TKD Architects	27/10/2020
AR.S60.1001	A	Activation Precinct - Proposed Ground Floor Plan	TKD Architects	29/11/2019
AR.S60.1002	A	Activation Precinct - Proposed First Floor Plan	TKD Architects	29/11/2019
AR.S60.2001	A	Buildings C104+C104a Demolition Ground Floor Plan	TKD Architects	29/11/2019
AR.S60.2002	A	Buildings C104+C104a Proposed Ground Floor Plan	TKD Architects	29/11/2019
AR.S60.2003	A	Buildings C104+C104a Demolition First Floor Plan	TKD Architects	29/11/2019
AR.S60.2004	A	Buildings C104+C104a Proposed First Floor Plan	TKD Architects	29/11/2019
AR.S60.2005	A	Buildings C104+C104a Demolition Roof Plan	TKD Architects	29/11/2019
AR.S60.2006	A	Buildings C104+C104a Proposed Roof Plan	TKD Architects	29/11/2019
AR.S60.2007	A	Buildings C104+C104a Demolition/ Proposed South Elevation	TKD Architects	29/11/2019
AR.S60.2008	A	Buildings C104+C104a Demolition/Proposed North Elevation	TKD Architects	29/11/2019
AR.S60.2009	A	Buildings C104+C104a Demolition/Proposed East Elevation & Section	TKD Architects	29/11/2019
AR.S60.4000	A	Building C107 + C109 (Part) Demolition Ground Floor Plan	TKD Architects	17/02/2020

Drawing/Plan No.	Issue	Plan Title	Prepared By	Dated
AR.S60.4001	B	Building C107 + C109 (Part) Proposed Ground Floor Plan	TKD Architects	17/02/2020
AR.S60.4002	A	Building C107 Demolition/Proposed First Floor Plan	TKD Architects	29/11/2019
AR.S60.4003	A	Buildings C107+C104 Demolition/Proposed West Elevation	TKD Architects	29/11/2019
AR.S60.6001	A	Building C111 Demolition/Proposed Ground & First Floor Plans	TKD Architects	29/11/2019
AR.S60.6002	A	Building C111 Demolition/Proposed Roof Plan	TKD Architects	29/11/2019
AR.S60.6003	A	Building C111 Demolition/Proposed North & West Elevations	TKD Architects	29/11/2019
AR.S60.6004	A	Building C111 Demolition/Proposed South & East Elevations	TKD Architects	29/11/2019
C-STHUB-001	01	Cover Sheet and Drawings List	Arcadis	23/07/2020
C-STHUB-002	01	General Notes	Arcadis	23/07/2020
C-STHUB-005	01	General Arrangement Plan	Arcadis	23/07/2020
C-STHUB-101	01	Erosion and Sediment Control Plan	Arcadis	23/07/2020
C-STHUB-106	01	Erosion and Sediment Control Details	Arcadis	23/07/2020
C-STHUB-201	01	Stormwater Drainage Plan	Arcadis	23/07/2020

Specialist Reports

Document	Ref No.	Issue	Prepared By	Dated
Waste Management Plan	-	-	-	-
Acoustic Report	47996	-	Stantec	31/07/2020

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

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

2. All works associated with this consent must be strictly completed in accordance with following approvals issued by the Heritage Council of NSW:

Section 60 Application Item	Application No.	Ref:	Dated
Cumberland District Hospital Group State Heritage Register No 00820	S60/2019/227	DOC19/1052799	04/05/2020

Section 57 Exempt Work Application Item	Application No.	Ref:	Dated
Replacement of the deteriorated slate roof on Building C104 at the Cumberland District Hospital Site	-	DOC19/829399	10/10/2019

Reason: To ensure compliance with the Heritage Act 1977

3. If any European Archaeological relics are discovered (or are believed to be discovered) during works, the works must cease and the NSW Office of Environment and Heritage must be notified, in accordance with the NSW Heritage Act.

If any Aboriginal archaeological relics are discovered (or are believed to be discovered) during works, the works must cease and the NSW Office of Environment and Heritage must be notified, in accordance with the NSW National Parks and Wildlife Service Act.

Reason: To ensure that the requirements of the Heritage NSW.

4. 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.

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

Reason: To ensure compliance with legislative requirements.

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

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

7. Approval is granted only for demolition works as shown on the approved plans at condition 1, being the same works the subject of the consent granted by Heritage NSW as noted at condition 2.

All demolition works are subject to compliance with the following:-

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

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

- (a) The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site 5 working days prior to demolition

commencing. Such notification is to be a clearly written on A4 size paper giving the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any). The demolition must not commence prior to the date stated in the notification.

- (b) 5 working days (i.e., Monday to Friday with the exclusion of Public Holidays) **notice in writing** is to be given to City of Parramatta for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours, contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must also not commence prior to the commencement date nominated in the written notice.
- (c) On the first day of demolition, **work is not to commence** until City of Parramatta has inspected the site. Should the building to be demolished be found to be wholly or partly clad with asbestos cement, approval to commence demolition will not be given until Council is satisfied that all measures are in place so as to comply with Work Cover's document "Your Guide to Working with Asbestos", and demolition works must at all times comply with its requirements.
- (d) On demolition sites where buildings to be demolished contain asbestos cement, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos cement has been removed from the site to an approved waste facility. This condition is imposed for the purpose of worker and public safety and to ensure compliance with Clause 259(2)(c) of the Occupational Health and Safety Regulation 2001
- (e) Demolition must not commence until all trees required to be retained are protected in accordance with the conditions detailed under "Prior to Works Commencing" in this Consent.
- (f) All previously connected services are to be appropriately disconnected as part of the demolition works. The applicant is obliged to consult with the various service authorities regarding their requirements for the disconnection of services.
- (g) Demolition works involving the removal and disposal of asbestos cement in excess of 10 square meters, must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- (h) 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.
- (i) 1.8m high Protective fencing is to be installed to prevent public access to the site.
- (j) 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.
- (k) 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.
- (l) All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the Environment Protection Authority (EPA).
- (m) Before demolition works begin, adequate toilet facilities are to be provided.
- (n) After completion, the applicant **must notify City of Parramatta within 7 days** to assess the site and ensure compliance with AS2601-2001 – Demolition of Structures.

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

Reason: To protect the amenity of the area.

8. All works/methods/procedures/control measures approved by Council are to be conducted as per the submitted report:

- (a) Contamination Assessment, prepared by JBS&G, Report No. 59412-131,400 (Rev A), dated 31 July 2020
- (b) Acoustic report prepared by Stantec, dated 31 July 2020. (Ref: 47996)

Reason: To demonstrate compliance with submitted reports.

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

- (a) Work Health and Safety Act 2011;
- (b) NSW Protection Of the Environment Operations Act 1997 (NSW); and
- (c) NSW Environment Protection Authority (EPA) Waste Classification Guidelines.

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

10. Any fill imported onto the site shall be validated to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Fill imported on to the site shall also be compatible with the existing soil characteristic for site drainage purposes.

Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

- (a) Imported fill should be accompanied by documentation from the supplier which certifies that the material is not contaminated based upon analyses of the material for the known past history of the site where the material is obtained; and/or
- (b) Sampling and analysis of the fill material shall be conducted in accordance with NSW EPA (1995) Sampling Design Guidelines.

Reason: To ensure imported fill is of an acceptable standard.

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

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

12. 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.

13. 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.

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

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

15. For the purposes of clarification of the scope of works approval is granted for the use of the specified buildings as an office for the purpose of a Startup Hub. No approval is granted for the proposed stage 2 (café) or stage 3 (community use) works as described in the provided Statement of Environmental Effects. A separate development application must be lodged for these works/uses.

Reason: To confirm the scope of the proposed works.

16. As there is a change in the building classification as defined by the Building Code of Australia (National Construction Code), the building must comply with the Category 1 Fire Safety Provision applicable to the proposed new use. An appropriately qualified professional is to inspect and certify the building complies with the Category 1 Fire Safety Provisions of the Building Code of Australia (National Construction Code). This certification is to accompany the Occupation Certificate.

Reason: To comply with legislative requirements of the Environmental Planning & Assessment Act 1979 and Environmental Planning and Assessment Regulations 2000.

17. The PCA shall ascertain that any new element in the at-grade 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, AS 2890.2 and AS 2890.6. Details are to be illustrated on plans submitted with the relevant Crown Building Works Certificate application.

Reason: To ensure appropriate vehicular manoeuvring is provided.

18. Nine (9) bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS 2890.3-2015. Details are to be illustrated on plans submitted with the Crown Building Works Certificate.

Reason: To comply with Council's parking requirements.

19. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS 2890.2 and AS 2890.6. A total of 35 parking spaces is to be provided to the STHUB including one (1) space as accessible parking.

Details are to be illustrated on plans submitted with the relevant Crown Building Works Certificate

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

Prior to the issue of a Crown Building Works 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 Certificate.)

20. The Crown Building Works 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.
21. An Environmental Enforcement Service Charge must be paid to Council prior to the issue of a Crown Building Works 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.
22. An Infrastructure and Restoration Administration Fee must be paid to Council prior to the issue of a Crown Building Works 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.
23. 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, Crown Building Works Certificate) and prior to any demolition works being carried out where a Construction Certificate/ Crown Building Works 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/443/2020;
- (c) Specifically reference the items and amounts being guaranteed. If a single bank guarantee is submitted for multiple items it must be itemised.

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

Bonds shall be provided as follows:

Bond Type	Amount
Nature Strip and Roadway: <i>Applies to all developments with a cost greater than \$25K and swimming pools regardless of cost (fee is per street frontage). See current Schedule of Fees and Charges.</i>	\$ 25 750

A dilapidation report is required to be prepared and submitted electronically to the City of Parramatta Council (council@cityofparramatta.nsw.gov.au) prior to any work or demolition commencing and with the payment of the bond/s.

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

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

24. Prior to the issue of any Crown Building Works Certificate or any preparatory, demolition or excavation works, whichever is the earlier, the applicant shall prepare a final Construction Pedestrian and Traffic Management Plan (CPTMP) to the satisfaction of Council's Traffic and Transport Manager in consultation with the Sydney Coordination Office (SCO) within TfNSW.

The CPTMP needs to specify matters including, but not limited to, the following:

- A description of the development;
- Location of any proposed work zone(s);
- Details of crane arrangements including location of any crane(s) and crane movement plan;
- Haulage routes;
- Proposed construction hours;
- Predicted number of construction vehicle movements, detail of vehicle types and demonstrate that proposed construction vehicle movements can work within the context of road changes in the surrounding area, noting that construction vehicle movements are to be minimised during peak periods;
- Construction vehicle access arrangements;
- Construction program and construction methodology, including any construction staging;
- A detailed plan of any proposed hoarding and/or scaffolding;
- Measures to avoid construction worker vehicle movements within the Parramatta CBD;
- Consultation strategy for liaison with surrounding stakeholders, including other developments under construction and Parramatta Light Rail Builder;
- Identify any potential impacts to general traffic, cyclists, pedestrians, bus services and any light rail within the vicinity of the site from construction vehicles during the construction of the proposed works. Proposed mitigation measures should be clearly identified and included in the CPTMP; and
- Identify the cumulative construction activities of the development and other projects within or around the development site, including the Parramatta Light Rail Project and private development. Proposed measures to minimise the cumulative impacts on the surrounding road network should be clearly identified and included in the CPTMP;
- Submit a copy of the final plan to SCO within TfNSW for endorsement via development.sco@transport.nsw.gov.au; and
- Provide the builder's direct contact number to small businesses adjoining or impacted by the construction work and TfNSW via development.sco@transport.nsw.gov.au to resolve issues relating to traffic, public transport, freight, servicing and pedestrian access during construction in real time. The applicant is responsible for ensuring the builder's direct contact number is current during any stage of construction.

The CPTMP is to include the provision of a sign on the hoarding that provides a phone number and email address for members of the local community to make enquires or complaints regarding traffic control for the site. The construction company for the site is to provide a representative for meetings that may occur once a month and may include representatives of the local community and Council staff to discuss traffic control at the site.

Written concurrence from Council's Traffic and Transport Services in relation to installation of a proposed 'Work Zone' restriction if required in the egress frontage public roadways of the development site. Application fees and kerbside charges for 6 months (minimum) are to be paid in advance in accordance with the Council's Fees and Charges. The 'Work 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.

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.

Approval shall be obtained from City of Parramatta Council for any temporary road closure or crane use from public property.

Reason: To ensure that the combined construction activities of the development and Parramatta Light Rail can be appropriately managed to minimise disruption.

25. In accordance with the provisions of Clauses 94 and 143 of the Environmental Planning and Assessment Regulation 2000, and in order to enable a determination of the appropriate level of conformity with the provisions of the Building Code of Australia which the existing building will be required to meet, it will be necessary to submit to the Principal Certifying Authority/relevant person a Fire Safety Study (FSS) for the proposed development, prior to issue of any Crown Building Works Certificate. This study is to address the impact of the proposal on the existing building, particularly in regard to fire safety measures contained to protect persons using the building and to facilitate egress from the building in the event of a fire, together with measures to restrict the growth and spread of fire. The FSS shall clearly identify the operational capacity of each such measure, existing and proposed. The FSS may also make recommendations as to the level of conformity or overall fire safety considered appropriate, which may be taken into account by the PCA/relevant person in assessing the overall suitability of the proposal.

Reason: To comply with legislative requirements of the Environmental Planning & Assessment Act 1979 an Environmental Planning and Assessment Regulations 2000.

26. It is advised the building is the subject of an alternative solution under the performance requirements of the Building Code of Australia. In this respect, your attention is drawn to the need to ensure any associated construction certification for the development work is consistent with, and conforms to, the terms of the approved alternative solution, and does not compromise or reduce the level of fire or structural safety afforded the building.

Reason: To comply with legislative requirements of the Environmental Planning & Assessment Act 1979 an Environmental Planning and Assessment Regulations 2000.

27. Prior to the release of any Crown Building Works certificate obtain Documentary evidence to the satisfaction of the PCA/relevant person confirming satisfactory arrangements have been made with the energy provider for the provision of electricity supply to the development. If a substation is required of the energy provider, it must be located internally within a building as shown on the approved plans, and to the satisfaction of Heritage NSW.

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

28. 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 the relevant Crown Building Works Certificate to the satisfaction of the Certifying Authority/relevant person.

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

29. End of trip 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 the relevant Crown Building Works Certificate.

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

30. A noise management plan must be submitted to Council for approval prior to any work commencing and complied with during any construction works. The plan must be prepared by a suitably qualified person, who possesses qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants.

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

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

Reason: To maintain appropriate amenity to nearby occupants.

31. All roof water is to be connected to an operable drainage system. Details are to be shown on the plans and documentation accompanying the application for the relevant Crown Building Works Certificate.

Reason: To ensure satisfactory stormwater disposal.

32. 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/relevant person 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.

33. A minimum of 9 bicycle spaces/racks are to be provided on-site and used accordingly. The bicycle storage/racks are to comply with AS2890.3-2015. Details are to be illustrated on plans submitted with the application for the relevant Crown Building Works Certificate.

Reason: To comply with Council's parking requirements.

34. Parking spaces are to be provided in accordance with the approved plans and with AS 2890.1, AS2890.2 and AS 2890.6. A total of 35 parking spaces is to be provided. Details are to be illustrated on plans submitted with the relevant Crown Building Works Certificate.

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

Prior to Work Commencing

35. 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) or a person qualified to provide Certification of Crown Building Works (the relevant person) 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/relevant person must determine and advise the person having the benefit of the Crown Building Works Certificate when inspections, certification and compliance certificates are required.

Reason: To comply with legislative requirements.

36. Retained trees must be fenced with a 1.8 metre high chainwire link or welded mesh fence at per the Demolition & Tree Management Plan LM01 rev ADV by JMDdesign. The fence is to be fully supported at grade, to minimise the disturbance of existing ground conditions within the canopy drip line or the setback nominated on the approved landscaping plan. The fencing is to be in place for the duration of the construction works. "Tree Protection Zone" signage must be attached to the protective fencing.

Reason: To protect the environmental amenity of the area.

37. Tree protection measures are to be installed and maintained, under the supervision of an Australian Qualifications Framework (AQF) Level 5 Arborist in accordance with AS4970 - "Protection of Trees on Development Sites".

Reason: To ensure trees are protected during construction.

38. 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/ the relevant person prior to the commencement of any work on site.

Reason: To ensure public safety.

39. 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;
 - (e) The sign must be maintained during excavation, demolition and building work, and removed when the work has been completed.
 - (f) This condition does not apply where works are being carried out inside an existing building.

Reason: Statutory requirement.

40. Prior to work commencing, adequate toilet facilities are to be provided on the work site.
Reason:To ensure adequate toilet facilities are provided.

41. Public risk insurance in the amount of not less than \$20 million or such other amount as Council may require by notice) must be obtained and furnished to Council before any works authorised by this consent are conducted:
- (a) Above;
 - (b) Below; or
 - (c) On

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

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

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

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

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

42. 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 Safework NSW. The strategy shall be submitted to the Principal Certifying Authority/relevant person, 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.

43. 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 Safework Authority hotline or their website www.safework.nsw.gov.au.

Reason: To comply with the requirements of the Safework NSW Authority.

44. At least one (1) week prior to demolition, the applicant must submit to the satisfaction of the Principal Certifying Authority /relevant person 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, e.g. 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.

45. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority/relevant person, 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.

46. 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/relevant person prior to commencement of any works on site.

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

47. 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.

During Work

48. 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.

49. Oversize vehicles using local roads require approval from the National Heavy Vehicle Regulator (NHVR). The applicant is to be required to submit an application for an Oversize Vehicle Access Permit through NHVR's portal (www.nhvr.gov.au/about-us/nhvr-portal), prior to driving through local roads within the City of Parramatta LGA.

Reason: To ensure maintenance of Council's assets.

50. 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.

51. 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 Section 126 of the Protection of the Environment Operations Act 1997.

Reason: To protect the amenity of the area.

52. 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.

53. 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 following hours:

- Monday to Friday inclusive: 7.00am and 5.00pm; and
- Saturday: 7.00am to 5.00pm.
- No work is to be carried out on Sunday or Public Holidays.

Demolition works are restricted to:

- Monday to Friday: 7.00am to 5.00pm; and
- No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.

Note: Council may permit an extension to the approved hours of work in extenuating or unforeseen circumstances subject to an application and approval by City of Parramatta Council (CoPC) in accordance with the 'After Hours Works for Approved Development Applications Policy' (Policy). A copy of this Policy and associated application form is available on the CoPC website. A fee will apply to any application made in accordance with this Policy.

The matters of consideration of any extension sought would include, but not be limited to the following aspects and should be detailed in any application made:

- Nature of work to be conducted;
- Reason for after-hours completion;
- Residual effect of work (noise, traffic, parking);
- Demographic of area (residential, industrial);
- Compliance history of subject premises;
- Current hours of operation;

- Mitigating or extenuating circumstance; and
- Impact of works not being completed.

Reason: To protect the amenity of the area.

54. 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 complaint; 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/relevant person upon request.

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

55. 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 and limit potential vibration impacts.

56. Where demolition of asbestos containing materials is undertaken, the contractor must submit to the Principal Certifying Authority/relevant person, 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.

57. All friable and non-friable asbestos-containing waste material on-site shall be handled and disposed off-site at an EPA licensed waste facility by an EPA licensed contractor in accordance with the requirements of the Protection of the Environment Operations (Waste) Regulation 2014 and the NSW Environment Protection Authority (EPA) Waste Classification Guidelines and any other regulatory instrument as amended.

Reason: To ensure appropriate disposal of asbestos materials.

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

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

59. 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.

60. Liquid and solid wastes generated onsite shall be collected, transported and disposed of in accordance with the Protection of the Environment Operations (Waste) Regulation 2014 and in accordance with DECC the Environmental Guidelines Assessment, Classification and Management of Liquid and Non-Liquid Wastes (1999) and NSW EPA Waste Classification Guidelines.
Reason: To prevent pollution of the environment.
61. 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.
62. 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.

Prior to the issue of an Occupation Certificate/ Final Compliance Certificate

63. Prior to the use of the site, the Principal Certifying Authority/relevant person shall certify that:
- i) the works have been completed to satisfy the Building Code of Australia; and
 - ii) that all conditions of this consent have been satisfied.
- Reason:** To ensure compliance with the EPA Act 1979.
64. No Occupation Certificate/Final Compliance Certificate shall be issued until the Principal Certifying Authority/relevant person is provided with evidence that all conditions of the consents granted by Heritage Council of NSW, as noted at condition 2 above, have been satisfied.
Reason: To ensure compliance with this consent.
65. In accordance with Clause 162B of the Environmental Planning and Assessment Regulation 2000, the Principal Certifying Authority /relevant person 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 Crown Building Works 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.
66. 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.

A Final Compliance 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.

67. Prior to the issue of an Occupation Certificate/Final Compliance 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.

68. Prior to the issue of any Occupation Certificate/Final Compliance Certificate, written certification from a suitably qualified person(s) shall be submitted to the Principal Certifying Authority/relevant person and City of Parramatta Council, stating that all works/methods/procedures/control measures approved by Council in the following report has been completed:

(a) Contamination Assessment, prepared by JBS&G, Report No. 59412-131,400 (Rev A), dated 31 July 2020

(b) Acoustic report prepared by Stantec, dated 31 July 2020. (Ref: 47996)

Reason: To demonstrate compliance with submitted reports.

69. Prior to issue of any Occupation Certificate/ Final Compliance Certificate, the applicant shall enter into a commercial contract for the collection of trade wastes and recyclable materials arising from the operation of the approved use. A copy of all-waste contracts and receipts shall be kept on site and made available to Council officers on request. All bins must be sorted on site and screen from public view. All bins must be collected on site.

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

A dedicated waste storage room/area must be provided for the approved use, which must 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 subject buildings or any approved waste storage area at any time. Separate waste bins are to be provided on site for general and recyclable waste.

Full details of the waste storage room shall be provided to Heritage NSW for endorsement prior to any works associated with that aspect of the development.

Reason: To maintain the amenity of the area.

70. Prior to the issue of any Occupation Certificate/Final Compliance Certificate, provide certification to the to the Principal Certifying Authority/relevant person of the completion of the following measures:

(a) The applicant shall install and maintain surveillance cameras and recorders to monitor and record all entrance and exit points to the buildings and building,. The system shall be designed and operated to enable recordings (24) hours a day seven (7) days a week. The time and date must automatically be recorded. All recordings are to be kept for a minimum period of thirty (30) days before they

can be reused or destroyed. The CCTV control system should be located within a secured area of the premise and only accessible by authorised personnel.

- (b) Signage warning of CCTV coverage shall be displayed in suitable locations.
- (c) Fire exit doors should be fitted with measures to restrict unauthorised access.
- (d) A 'swipe' card system or the like shall be used to control access to all service areas.

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

71. An application for street numbering must be lodged with Council for approval, and the approved street number is to be placed on the site in a readily visible location from a public place prior to the issue of an Occupation Certificate/Final Compliance Certificate. The numbers are to have a minimum height of 75mm.

Reason: To ensure a visible street number is provided.

72. A flood emergency response plan must be prepared to the satisfaction of the PCA/relevant person prior to the issue of the Occupation Certificate/ Final Compliance Certificate. This must address provision in perpetuity of a system of evacuation, the Plan must also consider if possible, a shelter in place refuge within the development above the PMF level. If such a refuge can be achieved above the PMF level then that facility must be of sufficient size for occupants and visitors and must be provided with a toilet, continuous water and power supplies, first aid facilities, provisions and other measures for people to remain in safety and sufficient comfort for the duration of severe storms and floods and until the surrounding streets are safe for evacuation. Permanent maintenance of the refuge must be incorporated into the Building Management Plan and its purpose must be made clear to occupants and visitors through appropriate signage and the like. The refuge must be operational prior to occupation.

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

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

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

Reason: To ensure appropriate electricity services are provided.

75. The submission of documentary evidence from the telecommunications provider authorised under the Telecommunications Act 1997 confirming arrangements have been made for the provision of telephone services prior to the issue of an Occupation Certificate/Final Compliance Certificate.

Reason: To ensure appropriate telephone services are provided.

76. 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.

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

Reason: To comply with legislative controls.

78. 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.

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

- (a) transmission of unacceptable vibration to any place of different occupancy,
- (b) a sound pressure level measured at any point on the boundary of any affected residential premises that exceeds the background noise level by more than 5 dB(A). The source noise level shall be assessed as an LAeq,15 min and adjusted in accordance with Environment Protection Authority (EPA) guidelines for tonality, frequency weighting, impulsive characteristics, fluctuations, and temporal content as described in the NSW Environmental Planning & Assessment Act 1979: Noise Policy for Industry 2017 and the Protection of the Environment Operations Act 1997.

Reason: To prevent loss of amenity to the area.

80. No live music, entertainment or external speakers shall be provided for at the premises.
Reason: To protect the amenity of the surround neighbourhood.

81. The proposed use of the premises and the operation of all plant and equipment shall not give rise to an 'offensive noise' as defined in the Protection of the Environment Operations Act 1997.
Reason: To protect the amenity of the area.

82. All putrescible waste shall be removed from the site with sufficient frequency to avoid nuisance from pests and odours.
Reason: To ensure provision of adequate waste disposal arrangements.

83. 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) be carried out wholly within the site
Reason: To protect the amenity of the neighbourhood..

84. The days and hours of operation are restricted to:

Day	Time
Weekdays	7.00am until 6.00pm

Reason: To minimise the impact on the amenity of the area.