

## Attachment 1 – Draft Conditions – ISSUE B

### 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~~ **Relevant Person** 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~~ **Final Compliance 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 relevant 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 **commencement of work**/ 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 Relevant Person** 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
<b>Nature Strip and Roadway:</b> <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](mailto: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](mailto: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** **Relevant Person**;
- (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](http://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](http://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 a ~~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~~ a 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](http://www.sydneywater.com.au) then the "e-developer" icon or telephone 13 20 92.

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

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 any ~~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.